

CITY OF DARIEN
PLANNING AND ZONING COMMISSION

Wednesday, August 7, 2024

7:00 PM

City Hall Council Chambers

1702 Plainfield Road

AGENDA

1) Call to Order

2) Roll Call

3) Regular Meeting – New Business

a. PZC2024-06

2551 75TH Street – Dr. Steven Tharp

Involves a petition from Dr. Steven Tharp requesting the following:

1. Zoning Text Amendment to Section 5A-8-2-4 of the Zoning Ordinance listing “dental office or clinic” as a special use within the Neighborhood Convenience Shopping District (B-1); and
2. Special use approval for a dental office or clinic within the Neighborhood Convenience Shopping District (B-1).
3. Repeal a specific condition for the requirement of specified landscaping in lieu of a required fence as per Ordinance 0-07-87.

b. PZC2024-07

8245 Lemont Road, LLC - True North Investments, LLC c/o Carl Manofsky

Involves a petition from True North Investments for an Amendment to the Rockwell Planned Unit Development (PUD) to allow the subdivision of a parcel into two lots and variations for the reduction of yard areas and setbacks. The Property is located within the Office Research and Light Industry District (OR-I).

4) Regular Meeting – Old Business (NONE)

5) Staff Updates & Correspondence

6) Approval of Minutes June 19, 2024

7) Next Meeting August 21, 2024

8) Public Comments [On Any Topic Related to Planning and Zoning]

9) Adjournment

MINUTES CITY OF DARIEN
PLANNING & ZONING COMMISSION
RESCHEDULED MEETING
Wednesday, June 19, 2024

PRESENT: Lou Mallers – Chairperson, Shari Gillespie, Hilda Gonzalez, Chris Jackson, Julie Kasprowicz

ABSENT: Bryan Gay, Chris Green, Jonathan Johnson

OTHERS: Dan Gombac – Director, Alderman Tom Belczak, Alderman Eric Gustafson, Alderman Joe Kenny, Alderman Ralph Stompanato

Chairperson Lou Mallers called the meeting to order at 6:06 p.m. at the Darien Police Department, Training Room, 1710 Plainfield Road, Darien, Illinois. Chairperson Mallers declared a quorum present.

Regular Meeting

a. Planning & Zoning Commission and City Council Training

Presenters Jason Berry, AICP and David Silverman, FAICP presented and led discussion on citizen planner training. Attached is the PowerPoint presentation with discussion topics.

Staff Updates & Correspondence

There were no staff updates and correspondence to discuss.

Approval of Minutes

Commissioner Kasprowicz made a motion, and it was seconded by Commissioner Gillespie to approve the May 15, 2024 Regular Meeting Minutes.

Upon voice vote, the MOTION CARRIED 5-0.

Next Meeting

Chairperson Mallers announced that the next meeting will be held on July 17, 2024, at 7:00 p.m.

Public Comments (On any topic related to Planning and Zoning)

There was no one in the audience wishing to present public comment.

Adjournment

With no further business before the Commission, Commissioner Gonzalez made a motion, and it was seconded by Commissioner Gillespie. Upon voice vote, the MOTION CARRIED unanimously, and the meeting adjourned at 8:08 p.m.

Respectfully Submitted:

Approved:

X

Jessica Plzak
Secretary

X

Lou Mallers
Chairperson

AGENDA MEMO
PLANNING AND ZONING COMMISSION
AUGUST 7, 2024

CASE

PZC2024-06

2551 75TH Street

Zoning Text Amendment

Special Use

Repeal of Condition-Fence/Landscape (Ordinance 0-07-87)

ORDINANCE**ISSUE STATEMENT**

Petitioner (Elizabeth Uribe Counsel and Dr. Steven Tharp) requests the following:

- 1) Zoning Text Amendment to Section 5A-8-2-4 of the Zoning Ordinance listing “dental office and/or dental clinic” as a special use within the Neighborhood Convenience Shopping District (B-1); and
- 2) Special use approval for a dental office and/or dental clinic within the Neighborhood Convenience Shopping District (B-1).
- 3) Repeal a specific condition for the requirement of specified landscaping in lieu of a required fence as per Ordinance 0-07-87.

NARRATIVE

The following Case was previously filed as Case No. PZC2024-05 and received approval by the Planning and Zoning Commission on May 15, 2024. The case also received approval by the Municipal Services Committee on June 24, 2024. As an additional follow up to the Planning and Zoning Commission Meeting, resident Jopa Paul, 7518 Cambridge, addressed the PZC regarding the south east leg of the property. Mr. Jopa referenced an existing fence and further informed the PZC the referenced area was to be maintained with a landscape setting. Staff had identified and reviewed an approved ordinance, (0-07-87), attached and labeled as **Attachment A**, and an approved Site Plan, attached and labeled as **Attachment B**, regarding certain conditions. During recent Staffs field review it was identified that a 6-foot fence was replaced and installed.

The limits of the fence/landscaping requirements were found not to be in accordance with the site plan as part of a condition of the ordinance and further reference through **Attachment A**, pages 2 and 3, as highlighted. The ordinance states in lieu of a fence, landscaping is to be installed for the two property owners that rear the property of 2551 75th Street; 7510 and 7518 Cambridge, see attached aerial labeled as **Attachment C**. Subsequently, the property owner of 7510 Cambridge requested of the fence to be maintained. The Municipal Services Committee requested the proposed owner of 2551 75th Street and the property owner of 7518 Cambridge to mitigate the fence/landscape issue through a negotiation that would work for both parties. The parties were unable to come to agreement. Staff confirmed at the time there was no fence permit on file.

The existing owner of 2551 75th Street, Dirlevski Properties LLC retained legal counsel, Elizabeth

Uribe, Actions Speak LLC. Attached and Labeled as **Attachment D** consisting of sixty-eight (68) is fact and support documentation as submitted by Counsel Elizabeth Uribe. During the Attorney and Staff review of existing files it was identified in 2014 an alteration permit was submitted and approved. Typically, an alteration permit for the City refers to an interior modification. Under the submitted alteration permit it was identified that the fence was included. The fence renovation included the removal of the existing wooden fence and replaced with a 6-foot-high vinyl fence. The documents also included fencing within the landscape site plan. Review comments regarding the fence were silent and inadvertently approved with the alteration permit. During construction of the fence in 2014, Mr. Jopa notified the Darien Police Department regarding the fence within the no fence zone. It appears that the officer inquired the contractor and a permit was displayed for the work. The current site conditions is fenced along the no fence zone, approximately 130 lineal feet. The rear of the residence at 7518 Cambridge maintains many overstory trees while the rear at residence at 7510 maintains a few overstory trees.

The representatives of 2551 75th Street and the proposed owner Dr. Steven Tharpe are requesting the following existing conditions placed on the property through Ordinance 0-07-87 be rescinded, an aerial labeled as **Attachment E** is attached:

SECTION 2-Page 1-2 The property shall be developed in accordance with the following:

B) The Landscape Plan as drawn by Robert Geudtner & Associates, Sheet1, the March 9, 1987 revision, and herein included by reference

I) Page 3 To permit fencing and landscaping as shown by the referenced Site Plan and Landscape Plan instead of fencing as required by Section 5A-5-8-3A.

As reference, the City code states that any commercial property abutting a residence shall install a 6-foot high fence and as cited by the following City Code:

5A-5-8-3: REQUIRED FENCES:

(A) Business and Office-Industrial Districts:

1. Residential Adjacency: Where a lot in the business or office- industrial district adjoins a lot in a residential district, a fence is required as provided in the applicable zoning district regulations.

5A-8-2: B-1 NEIGHBORHOOD CONVENIENCE SHOPPING DISTRICT:

5A-8-2-7: YARD REQUIREMENTS

(c) Required Fence: Where an interior side or rear lot line in the B-2 district coincides with an interior side or rear lot line in an adjoining residential district, a fence of at least seventy five percent (75%) opacity shall be provided within the yard. The height of such fence shall be six feet (6').

Applicable Regulations: Zoning Section 5A-8-2, B-1 District Standards

GENERAL INFORMATION

Petitioner: Dr. Steven Tharp and Elizabeth Uribe

Property Owner: Dirlevski LLC
 Property Location: 2551 75TH Street
 PIN Number: 09-29-301-001
 Existing Zoning: Neighborhood Convenience Shopping District (B-1)
 Existing Land Use: Logistics Office
 Comprehensive Plan: Commercial/Office (Existing); Commercial/Office (Future)
 Surrounding Zoning & Uses
 North: B2 (Downers Grove); Restaurant and Auto Repair Shop
 South: Single Family Residence District (R-2); Residential
 East: Single Family Residence District (R-2); Residential
 West: Community Shopping Center District (B-2); Restaurant
 Size of Property: 0.57 Acres
 Floodplain: N/A
 Natural Features: N/A
 Transportation: The petition site gains access from Main Street.

PETITIONER DOCUMENTS (ATTACHED TO MEMO)

- 1) APPLICATION
- 2) JUSTIFICATION NARRATIVE
- 3) SITE PLAN
- 4) FLOOR PLAN

CITY STAFF DOCUMENTS (ATTACHED TO MEMO)

- 5) NEIGHBORHOOD CONVENIENCE SHOPPING DISTRICT (B-1)
- 6) LOCATION MAP & AERIAL IMAGE
- 7) SITE PHOTOS

PLANNING OVERVIEW/DISCUSSION

The subject property is located at the southeastern corner of 75th Street and Main Street. It is slightly more than a half-acre in size and is zoned Neighborhood Convenience Shopping District (B-1). The property contains a longstanding office building that has housed several tenants over the years and is currently occupied by a logistics office. The petitioner proposes to occupy approximately half of the existing building to operate a dental office/clinic, while other future tenant(s) would fill the remaining building space as offices.

At this time, the petitioner has proposed adding dental office/clinic as part of the business operation on site. While the proposed activity is limited in nature, the zoning ordinance does not permit any type of dental use within the B-1 District. After being informed of this and having further discussion, the petitioner decided to submit for a text amendment to allow a dental office/clinic within the B-1 District as a special use at the subject location.

The Planning and Zoning Commission is to consider the proposed text amendment and special use in tandem, and is tasked with recommending conditions or edits for the zoning text amendment and special use if deemed appropriate.

The Planning and Zoning Commission is further requested to provide a recommendation whether the following conditions as cited from Ordinance 0-07-87 should be repealed. Additional facts of

finding summary may be found in Attachment D. Attachment E is an aerial depicting site locations and conditions.

SECTION 2-Page 1-2 The property shall be developed in accordance with the following:

- B) The Landscape Plan as drawn by Robert Geudtner & Associates, Sheet1, the March 9, 1987 revision, and herein included by reference
- D) Page 3 To permit fencing and landscaping as shown by the referenced Site Plan and Landscape Plan instead of fencing as required by Section 5A-5-8-3A.

Should the governing bodies rescind the abovementioned condition the existing fence will remain in place.

Site Plan Review & Findings of Fact

City staff has reviewed the submittal documents and staff does not have review comments outside of requesting input from the Commission regarding items above. The project involves almost no physical site work and the existing character of the site would remain the same.

Additionally, the petitioner submitted a Justification Narrative detailing the request. The narrative is attached to this memo. Included as follows are the standards for amendments and the special use criteria that the Planning and Zoning Commission is to consider for recommending on the case.

Standards for Amendments:

The Plan Commission shall consider the following factors and other pertinent factors in developing a recommendation for the City Council:

1. *Existing uses of property within the general area of the property in question, and the resulting character of the general area;*
2. *The zoning classifications of property within the general area of the property in question;*
3. *The suitability of the property in question to the uses permitted under the existing zoning classification including consideration of the length of time the property has been vacant as zoned;*
4. *The trend of development, if any, in the general area of the property in question, including changes, if any, which have taken place in its present zoning classifications and the impact to surrounding property likely to result from the proposed use;*
5. *The reduction in value of the subject property resulting from the particular zoning restriction as compared to the gain to the public if the property remains restricted; and*
6. *The policies of all current official plans or plan elements of the City.*

Special Use Criteria:

No special use shall be recommended to the City Council by the Plan Commission, nor approved by the City Council, unless findings of fact have been made on those of the following factors which relate to the special use being sought:

1. *That the special use is deemed necessary for the public convenience at the location specified.*
2. *That the establishment, maintenance, or operation of the special use will not be detrimental*

- to, or endanger the public health, safety, or general welfare.*
3. *That the special use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood.*
 4. *That the establishment of the special use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.*
 5. *That the exterior architectural design, landscape treatment, and functional plan of any proposed structure will not be at variation with either the exterior architectural design, landscape treatment, and functional plan of the structures already constructed or in the course of construction in the immediate neighborhood or the character of the applicable district, as to cause a substantial depreciation in the property values within the neighborhood.*
 6. *That adequate utilities, access roads, drainage, and/or necessary facilities have been or are being provided.*
 7. *That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.*
 8. *That the special use shall, in all other respects, conform to the applicable regulations of the district in which it is located, except as such regulations may, in each instance, be modified by the City Council pursuant to the recommendations of the Plan Commission and Planning and Development Committee.*

PZC MEETING – 05/15/2024

As previously stated the Planning and Zoning Commission reviewed this petition at its May 15, 2024 meeting. The petitioner was present and answered questions after staff's introduction of the case. There were members of the public in attendance to provide comment and request clarification on the proposed text amendment. Comment pertained to the ambiguity of the use "dental office or clinic" as it was listed in the meeting packet. To clear up any confusion between dental uses and other medical uses and what would be allowed as special use per text amendment, the Commission amended the use language to read "dental office and/or dental clinic". This recommended change is reflected per highlight on the first page of this memo.

Based on testimony and discussion at the meeting, the Planning and Zoning Commission made two separate motions (first one for text amendment, then one for special use) to forward the case with a favorable recommendation to the Municipal Services Committee. The motions passed with 7-0 votes.

PLANNING AND ZONING RECOMMENDATION

The Planning and Zoning Commission shall provide approval consideration for the following:

- 1) Zoning Text Amendment to Section 5A-8-2-4 of the Zoning Ordinance listing "dental office and/or dental clinic" as a special use within the Neighborhood Convenience Shopping District (B-1); and
- 2) Special use approval for a dental office and/or dental clinic within the Neighborhood Convenience Shopping District (B-1).
- 3) Ordinance 0-07-87 to repeal the following condition from said ordinance:

SECTION 2-Page 1-2 The property shall be developed in accordance with the following:

- B) The Landscape Plan as drawn by Robert Geudtner & Associates, Sheet 1, the March 9, 1987 revision, and herein included by reference

- D) Page 3 To permit fencing and landscaping as shown by the referenced Site Plan and Landscape Plan instead of fencing as required by Section 5A-5-8-3A.

DECISION MODE

The Planning and Zoning Commission will consider this item at its meeting on August 7, 2024.

MEETING SCHEDULE

Planning and Zoning Commission	August 7, 2024
Municipal Services Committee	August 26, 2024
City Council	September 3, 2024

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RESERVED PLACEMENT FOR ORDINANCE

Keep Record
2nd Copy

CITY OF DARIEN

ORDINANCE NUMBER 0-07-87

AN ORDINANCE GRANTING APPROVAL OF CERTAIN
VARIATIONS TO ZONING ORDINANCE - (LION PHOTO).

ADOPTED BY THE
MAYOR AND CITY COUNCIL
OF THE
CITY OF DARIEN

THIS 6th DAY OF April, 1987

Published in pamphlet form
by authority of the Mayor
and City Council of the
City of Darien, DuPage
County, Illinois, this
8th day of April,
19 87.

STATE OF ILLINOIS)
) SS
COUNTY OF DU PAGE)

CERTIFICATE

I, Gertrude M. Coit, C.M.C., certify that I am the duly elected and acting municipal clerk of the City of Darien, Du Page County, Illinois.

I further certify that on April 6, 19 87, the Corporate Authorities of such municipality passed and approved Ordinance Number 0-07-87, entitled AN ORDINANCE GRANTING APPROVAL OF CERTAIN VARIATIONS TO ZONING ORDINANCE - (LION PHOTO)

_____ which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance Number 0-07-87, including the Ordinance and a cover sheet thereof was prepared, and a copy of such Ordinance was posted in the municipal building, commencing on April 8, 19 87, and continuing for at least ten (10) days thereafter. Copies of such Ordinance were also available for public inspection upon request in the office of the municipal clerk.

DATED at Darien, Illinois, this 8th day of April, 19 87.

(SEAL)

Gertrude M. Coit, C.M.C.
Municipal Clerk

ORDINANCE NUMBER 0-07-87

AN ORDINANCE GRANTING APPROVAL OF CERTAIN VARIATIONS TO ZONING ORDINANCE - (LION PHOTO).

WHEREAS, the City of Darien has received a petition for certain variations to allow the development of a property legally described herein; and,

WHEREAS, the petitioner wishes to develop a property which is zoned B-1 Neighborhood Convenient Shopping District as a Camera and Photographic Supply Store; and,

WHEREAS, pursuant to proper legal notice a Public Hearing was held before the Zoning Board of Appeals on March 3, 1987; and,

WHEREAS, the Zoning Board of Appeals at their regular meeting of March 3, 1987 has recommended to the City Council the approval of certain variations subject to certain conditions.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DARIEN, DU PAGE COUNTY, ILLINOIS, as follows:

SECTION 1: The granting of variations herein is for the following legally described property:

Lot 1 in Sharon Estates being a subdivision of Tract "A" of Downers Grove Township Supervisor's Assessment Plat Number 2 of the North 1050.0 feet of the Northwest Quarter of the Southwest Quarter of Section 29, Township 38 North, Range 11, East of the Third Principal Meridian, according to the plat of said Sharon Estates recorded March 6, 1957 as Document 834504 in DuPage County, Illinois.

SECTION 2: The property shall be developed in accordance with the following:

ORDINANCE NUMBER 0-07-87

- A) The Site Plan as drawn by Robert Geudtner & Associates, Inc., 711 North McKinley Road, Lake Forest, Illinois, Job No. 1194, Sheet SK-2, March 5, 1987 revision, and herein included by reference.
- B) The Landscape Plan as drawn by Robert Geudtner & Associates, Sheet 1, the March 9, 1987 revision, and herein included by reference.
- C) The building elevations as shown by the Proposed Darien, Illinois, Store for Lion Photo Plan, as drawn by Robert Geudtner & Associates, Job No. 1194, Sheet SK-2, the January 3, 1987 revision, and herein included by reference.

SECTION 3: The following variations to the City of Darien Zoning Ordinance are hereby granted:

- A) To permit a Camera and Photographic Supply Store in a B-1 Zoning District in addition to the uses as permitted by Section 5A-8-2-2.
- B) To permit a rear yard building setback of twenty-one feet (21') instead of thirty-five feet (35') as required by Section 5A-8-1-4B and Section 5A-8-2-7C.
- C) To permit an interior side yard building setback of twenty feet (20') instead of thirty-five feet (35') as required by Section 5A-8-1-4B and Section 5A-8-2-7B.
- D) To permit a front yard parking setback of fifteen feet (15') instead of thirty feet (30') as required by Section 5A-8-2-7A.
- E) To permit a corner side yard parking setback of zero feet (0') instead of twenty feet (20') as required by Section 5A-11-2-1D3.
- F) To permit a side yard parking setback of twenty feet (20') instead of thirty feet (30') as required by Section 5A-11-2-1D3.
- G) To permit a rear yard parking setback of ten feet (10') instead of thirty feet (30') as required by Section 5A-11-2-1D3.
- H) To permit twenty-seven (27) parking spaces instead of twenty-nine (29) parking spaces as required by Section 5A-1-4.

ORDINANCE NUMBER 0-07-87

- I) To permit fencing and landscaping as shown by the referenced Site Plan and Landscape Plan instead of the fencing as required by Section 5A-5-8-3A.
- J) To permit nine foot by twenty foot (9' x 20') parking spaces instead of ten foot by twenty foot (10' x 20') parking spaces as required by Section 5A-11-2-1G3.

Where this Ordinance is silent, the referenced Plans of Section 2 above shall apply.

SECTION 4: This Ordinance shall be in full force and effect from and after its passage and approval and shall subsequently be published in pamphlet form as provided by law.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF DARIEN, DU PAGE COUNTY, ILLINOIS, this 6th day of April, 1987.

[Signature]
CITY CLERK

AYES: 6: Biehl, Gillespie, Sims, Smith,
Stumpe, Thompson

NAYS: 0: None

ABSENT: 2: Nosbisch, VonZuckerstein

APPROVED BY THE MAYOR OF THE CITY OF DARIEN, DU PAGE COUNTY, ILLINOIS, THIS 8th DAY OF April, 1987.

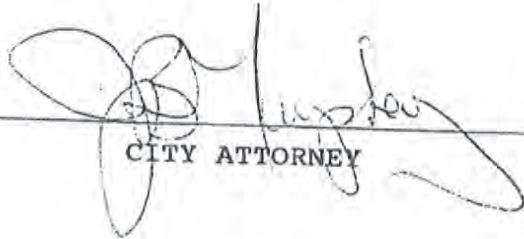
[Signature]
MAYOR

ATTEST:

[Signature]
CITY CLERK

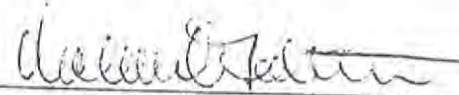
ORDINANCE NUMBER 0-07-87

APPROVED AS TO FORM:


CITY ATTORNEY

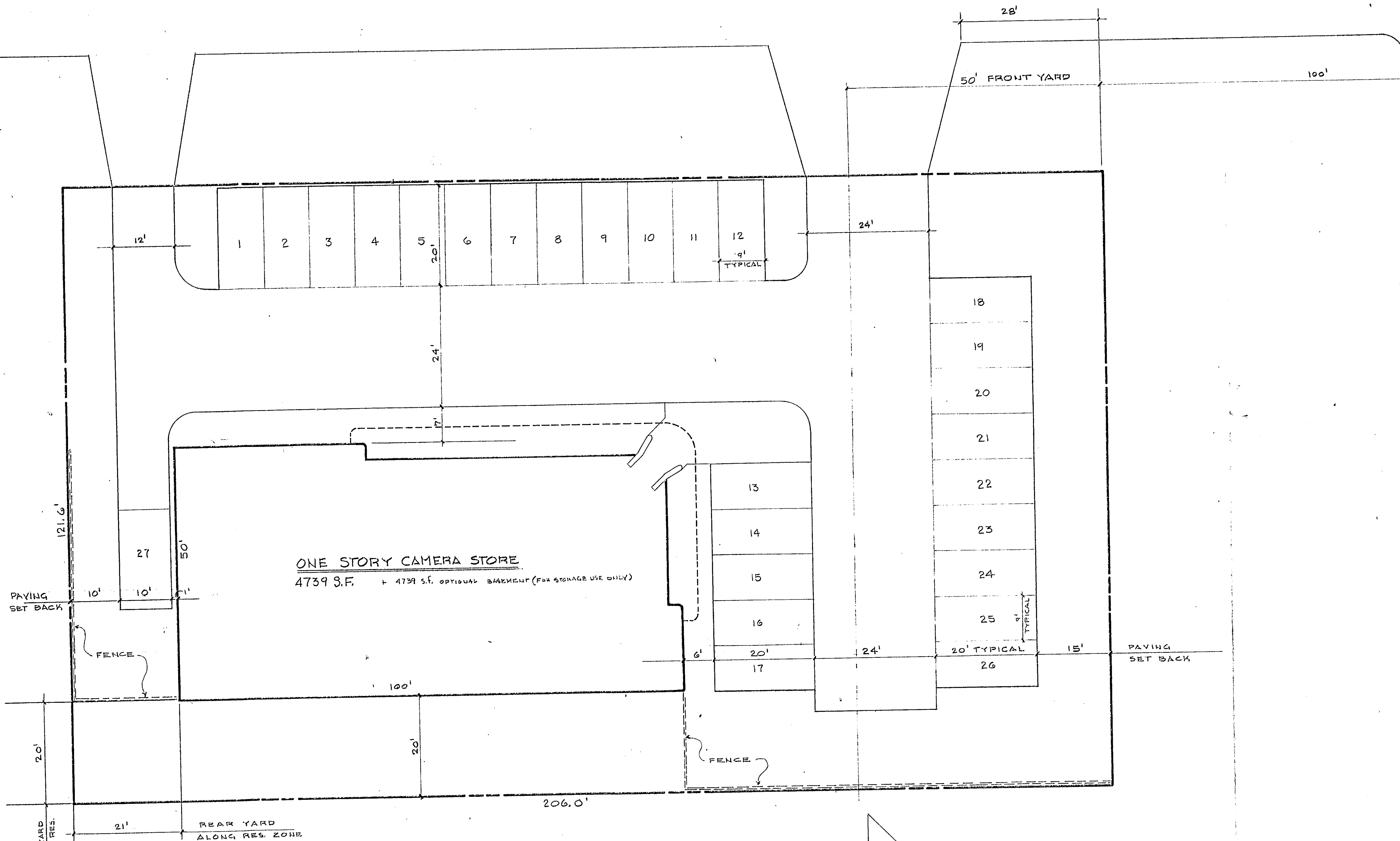
Lien Photo Supply, Inc. being the owner or other party in interest of the property legally described within this Ordinance, having read a copy of the Ordinance, does hereby accept, concur, and agree to develop and use the subject property in accordance with the conditions specified therein.

Dated: 4-14-87


Owner

SOUTH MAIN STREET

75TH STREET



ONE STORY CAMERA STORE
4739 S.F. + 4739 S.F. OPTIONAL BASEMENT (FOR STORAGE USE ONLY)

SITE PLAN SCALE: 1" = 10'

RECEIVED
MAR 13 1987
CITY CLERK'S OFFICE
THE CITY OF DARIEN

REVISIONS		DATE	BY	JOB NO.	SHEET
NO.	DESCRIPTION				
1	TE	3-5-87	TE	1194	SK-2
2					
3					
4					

SITE PLAN
LION PHOTO
DARIEN, ILLINOIS
ROBERT GEUDTNER & ASSOCIATES, INC.
 ARCHITECTS & ENGINEERS
 711 N. MCKINLEY RD., LAKE FOREST, ILL. 295-2440

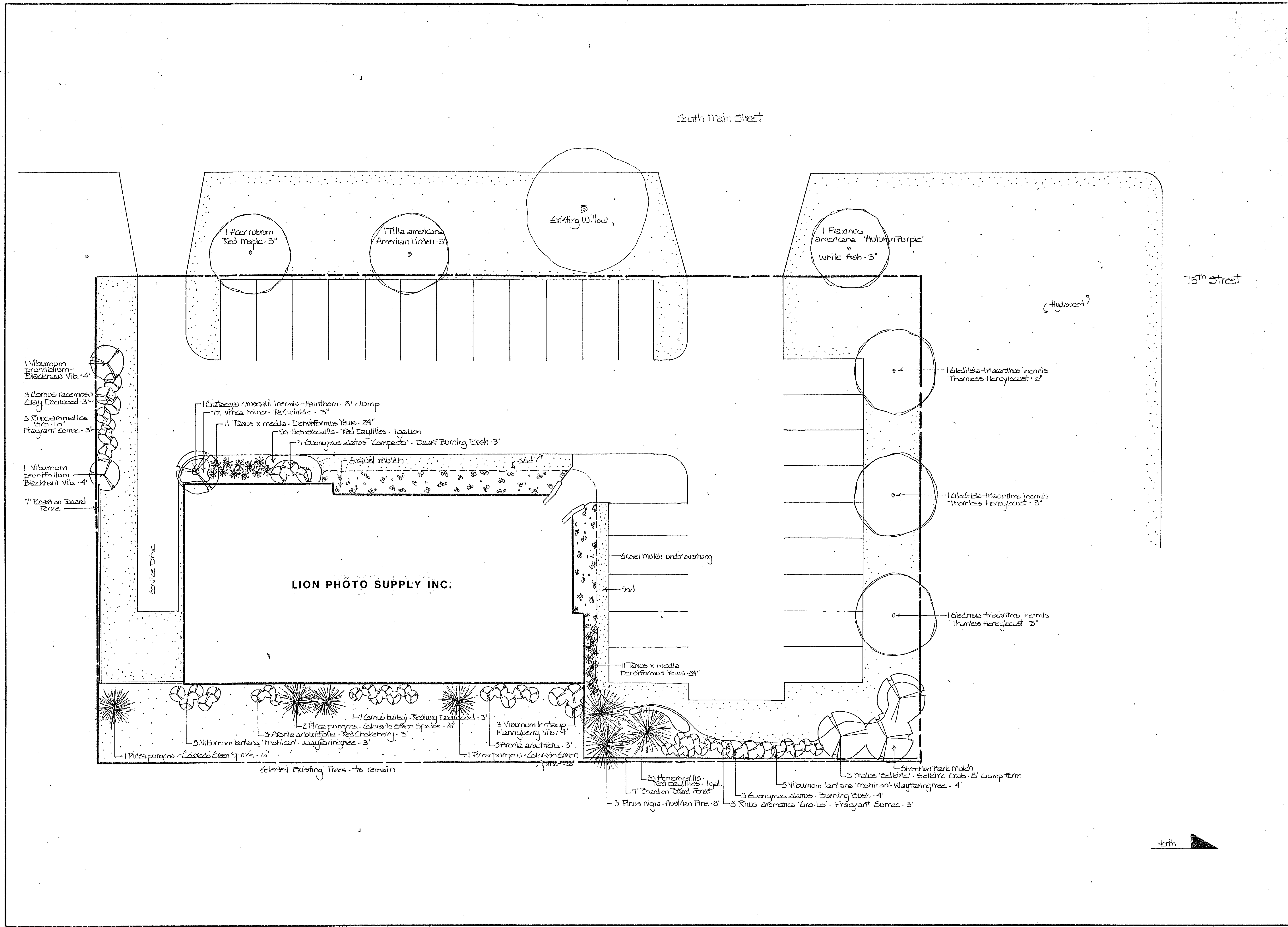
REVISIONS	BY
3-9-87	MKS

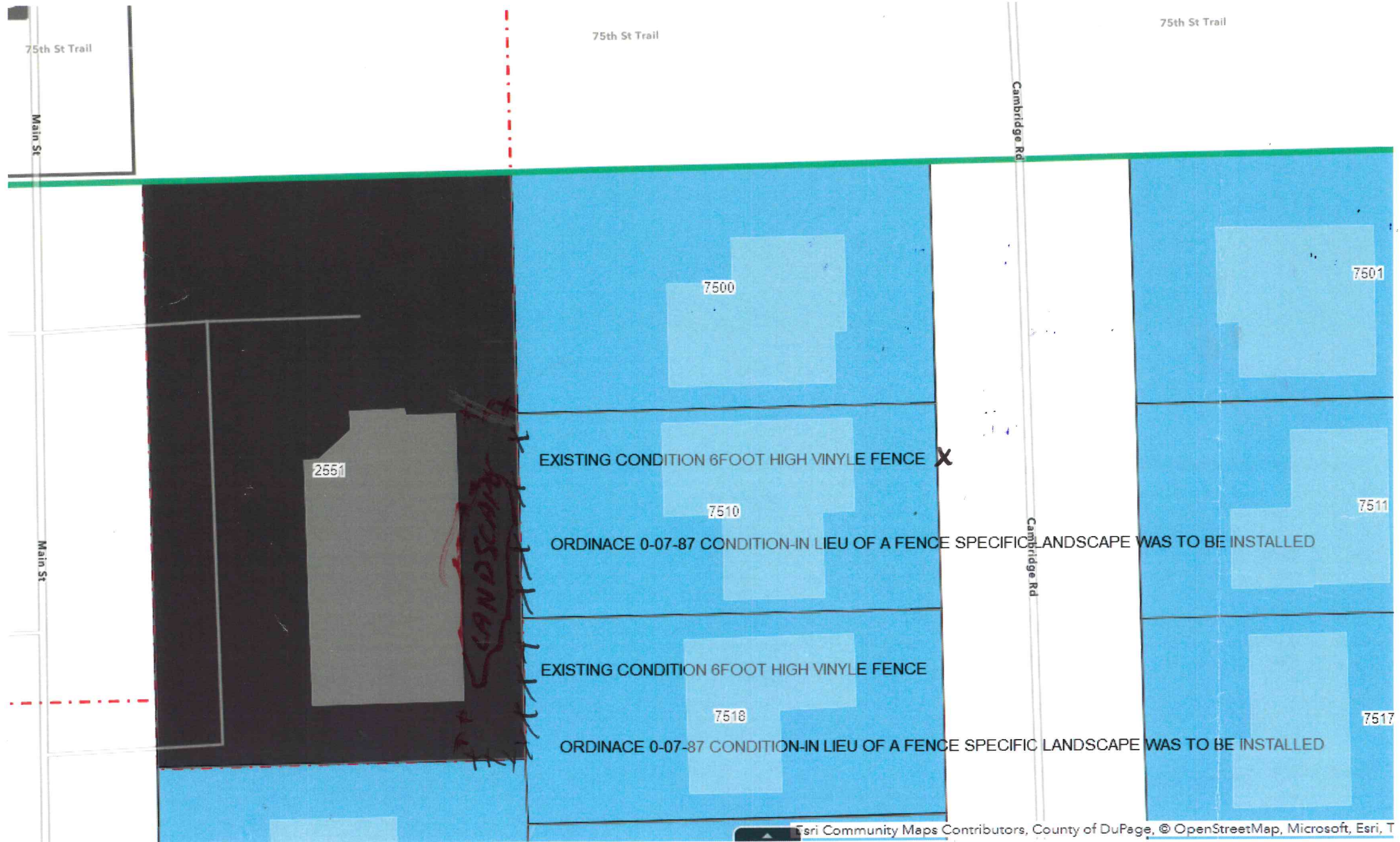
Robert Gledhill and Associates - Architects and Engineers
 711 N. McKinley Road
 Lake Forest, Illinois
 Martha Rabbitt Sustitcky - Landscape Architect

Darien, Illinois

Landscape Plan
LION PHOTO SUPPLY INC.

Date	2-10-87
Scale	1" = 10'
Drawn	MKS
Job	
Sheet	1
Of	Sheets







ZONING APPLICATION

CITY OF DARIEN
1702 Plainfield Road, Darien, IL 60561
www.darienil.us 630-852-5000

CONTACT INFORMATION

Dirlevski Properties LLC c/o Actions Speak LLC

Applicant's Name

20W471 Havens Court, Downers Grove, IL 60516

Address, City, State, Zip Code

312-459-1094

Telephone

actionsspeakllc@gmail.com

Email

Dirlevski Properties LLC/Tome Dirlevski and Andriana Dirlevski

Owner's Name

7517 Main Street, Darien, IL 60561

Address, City, State, Zip Code

312-752-8663; 312-722-1053

Telephone

dirlevski@gmail.com; andrianadirlevski@gmail.com

Email

PROPERTY INFORMATION

2551 75th Street, Darien

Property address

09-29-301-001

PIN Number(s)

B-1

Zoning District

Commercial/Office

Current Land Use(s)

(Attach additional information per the Submittal Checklist.)

REQUEST

Brief description of the zoning approval requested. (Contact the City Planner for guidance.)

1. Zoning Text Amendment- Special use within the Neighborhood Convenience Shopping District (B-1)
2. Special Use-Approval for a Dentist Office/Clinic
3. Repealing of a specified perimeter fence and landscaping condition as per Ordinance 0-07-87 dated April 6, 1987

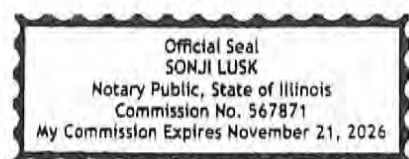
Elizabeth R. Lube
Applicant/Signature

As Notary Public, in and for DuPage County in Illinois, I do hereby certify that Elizabeth Uribe is personally known by me to be the same person whose name is subscribed above and has appeared before me this day in person and acknowledged that they have signed this document as their own free and voluntary act, for the purposes therein set forth.

Given under my hand and seal, this 12 day of July 2024.

[Signature]
Notary Public

For office use only
Date Received:
Case Number:
Fee Paid:
Hearing Date:



My name is Steven Tharp, and I am not only a dentist but also a devoted husband and father of two. With 14 years of experience in dentistry, I take pride in delivering exceptional dental care. I am writing to express my keen interest in establishing a family-owned dental office in Darien. Doing so would not only allow me to serve our community but also afford me the flexibility to be close to my children's school events, which is a priority for me.

Our vision is to create a welcoming and nurturing environment where families can receive top-notch dental care. The plan entails constructing a six-chair office, typically capable of accommodating two dentists and one hygienist. This new facility will boast a modern and attractive design, equipped with state-of-the-art technology like Cone Beam Computed Tomography (CBCT) scan and intraoral scanner. These advancements, available in fewer than 30% of general dentists' offices, significantly enhance patient comfort and precision of treatment compared to traditional setups.

To realize this vision, we are seeking the support of the community in obtaining a text amendment and special use permit. This permit will not alter the essential character of the locality. It will not cause a substantial difficulty, undue hardship, unreasonable burden, or loss of value to the neighboring properties. In fact, the planned minor exterior refresh of the building may increase neighboring property values. Overall it will be a net benefit to the community as quality dental care is always needed. The special use permit is essential for ensuring that our dental office operates in compliance with local regulations and zoning laws.

Thank you for considering our proposal. We eagerly anticipate the opportunity to serve our community and contribute to its health and vibrancy for years to come.

Steven C Tharp, DDS

Justification Narrative
Dirlevski Properties LLC c/o Actions Speak LLC
Re: 2551 75th Street

a) explanation of why the variation is being requested; b) describe the 'hardship condition' of the property that makes it difficult to conform; c) estimate the impact on neighbors; and d) respond to each of the decision criteria below.

Petitioner refers the City, generally, to the petition for zoning relief previously submitted on July 3, 2024. In summary, the variations are being requested to allow a dental office to operate in the B-1 Neighborhood Shopping District with a 6-foot fence presently on the property that was installed with the City's permission in 2014 by a prior owner that is inconsistent with the landscape plan incorporated into O-07-87. Petitioner has been negotiating the sale of the property to a local dental practitioner, Dr. Steven Tharp, who would like the fence to remain for the benefit of his proposed business. The fence has been on the property since 2014 and prior to Petitioner owning the property. Removal of the fence would be both expensive and limit the ability to sell the property as planned. The impact on neighbors is none to minimal given that the fence has been in place since 2014 and most neighbors support it remaining in its current location.

Decision Criteria (See City Code Section 5A-2-2-3)

2a. The property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in the zone.

As noted above, removal of the fence limits the ability of Petitioner to market and sell the property as planned. Sale of the property to operate a dental practice will result in a reasonable return on the property.

2b. The plight of the owner is due to unique circumstances.

As detailed in the petition filed on July 3, 2024, Petitioner purchased the property in its existing condition in 2022. The fence was installed, with City permission, in 2014 and certificates of occupancy were subsequently issued certifying the property was in compliance with zoning regulations.

2c. The variation if granted will not alter the essential character of the locality.

The fence will not alter the character or use of the property, since it has been in existence since 2014. The property currently houses a small business which operates in a similar way as the dental practice will operate.

3a. Essential Need? The owner would suffer substantial difficulty or hardship and not mere inconvenience or a decrease in financial gain if the variation is not granted.

As noted above, removal of the fence would limit Petitioner's ability to market and sell the property. Granting a variance to allow the dental practice is necessary so that Petitioner can sell the property to the potential dental practice.

3b. Problem with Property? There is a feature of the property such as slope or shape or change made to the property, which does not exist on neighboring properties, which makes it unreasonable for the owner to make the proposed improvement in compliance with the Zoning

Code. Such feature or change was not made by the current owner and was not known to the current buyer at the time of purchase.

As noted above, the fence was in its current location at the time Petitioner purchased the property and it had no notice that it was not in compliance with O-07-87. In fact, the City issued a certificate of occupancy to Petitioner in 2022, which certified the property was in compliance with zoning regulations.

3c. Smallest Solution? There is no suitable or reasonable way to redesign the proposed improvements without incurring substantial difficulty or hardship or reduce the amount of variation required to make such improvements.

The requested variation requires no improvements or work since the fence has been in place since 2014. The expense to remove the fence would be substantial and doing so may result in the potential buyer withdrawing from the land sale.

3d. Create Neighbor Problem? The variation, if granted, will not cause a substantial difficulty, undue hardship, unreasonable burden, or loss of value to the neighboring properties.

The requested variance does not create a neighbor problem; the majority of the neighbors support keeping the fence in its current state and position. The dental practice is a small, local business that will have limited hours of operation and limited traffic.

3e. Create Community Problem? The variation, if granted, may result in the same or similar requests from other property owners within the community, but will not cause an unreasonable burden or undesirable result within the community.

The requested variance does not create a neighbor problem; the majority of the neighbors support keeping the fence in its current state and position. The fence has been in place since 2014 and is actually compliant with standard zoning regulations to have a fence between commercial and residential properties. The dental practice is a small, local business that will have limited hours of operation and limited traffic.

3f. Net Benefit? The positive impacts to the community outweigh the negative impacts.

Issuing these variances will allow the community to continue to house and support small business and create a safe boundary between commercial and residential properties.

3g. Sacrifice Basic Protections? The variation, if granted, will comply with the purposes and intent of the Zoning Code set forth in Section 5A-1-2(A) and summarized as follows; to lessen congestion, to avoid overcrowding, to prevent blight, to facilitate public services, to conserve land values, to protect from incompatible uses, to avoid nuisances, to enhance aesthetic values, to ensure an adequate supply of light and air, and to protect public health, safety, and welfare.

Granting these variations, fully supports the purpose and intent of the Zoning Code in protecting the value of the property, separating commercial and residential properties, and supporting a useful, small business for the community.

Date: July 3, 2024

Petitioner: Dirlevski Properties LLC/Tome and Andriana Dirlevski

Property Address: 2551 75th Street

**Dirlevski Properties LLC's Petition for Zoning Ordinance Relief:
Inapplicability or Compliance Finding, Revocation of Certain Variance Provisions,
Repeal and/or Revocation of Ordinance No. O-07-87**

Background

Dirlevski Properties LLC ("Current Owner") is a business owned and operated by Tome Dirlevski and Andriana Dirlevski, natives of Macedonia and Serbia who are now residents of the City of Darien. The Current Owner purchased the Subject Property ("Subject Property") located at 2551 75th Street, Darien, Illinois 60561 in good faith in October of 2022 for \$1,240,000. The Subject Property is zoned B-1 and is located at the corner of 75th Street and Main Street. It is bordered to the south and east by residential homes and a small commercial strip center to the west. There is a median on 75th Street, separating the Subject Property from the properties to the north. The Subject Property has a one-story commercial, brick building that was built in 1987 or 1988 with a paved parking lot. There is an existing 6-foot vinyl fence along the southern and eastern boundaries, separating the Subject Property from residential properties.

At the time of the purchase, neither the Current Owner nor its agents had actual or constructive notice that the Subject Property was or may be in violation of any zoning or municipal ordinances.

Earlier this year, the Current Owner listed the Subject Property for sale and was contacted by potential buyer, Dr. Steven Tharp ("Dr. Tharp"), who expressed interest in purchasing the Subject Property. Dr. Tharp, who is also a local resident, filed a petition with the City to allow for the operation of a dental office or a dental clinic at the Subject Property. During the review process, an adjoining property owner objected to the existing 6-foot vinyl fence that runs along the southern and eastern boundaries of the Subject Property, claiming that it is improperly erected in a buffer area established when the property was developed in the late 1980s. Despite best efforts by both the Current Owner and Dr. Tharp, this neighbor, who has occupied his home since 1984, has been insistent, difficult, and unwilling to negotiate a mutual agreement regarding the fence.

As a result of these events, the Current Owner learned that City Staff believes that Ordinance No. O-07-87 ("Subject Ordinance") applies to the Subject Property and it does not presently comply with the site plan incorporated therein. See Ordinance No. O-07-87, **Exhibit A**. Specifically, City Staff highlighted Section 2B) and Section 3I). See Email Communication from City Staff with attachments, **Exhibit B**. However, contrary to City Staff's position, the Current Owner maintains that the Subject Ordinance is obsolete and does not apply, or, at the very least, the existing property conditions substantially comply with the Subject Ordinance because the City granted the previous owner permission to erect and maintain the fence as part of a renovation plan in July of 2014. See Permit #12609, documents, and plans, **Exhibit C**. In the alternative, the Current Owner seeks relief from the Subject Ordinance with respect to the variance provisions regarding landscaping, fencing, and the site plan and further requests that the Subject Ordinance be repealed.

Relief Sought

The Current Owner respectfully requests that, after review of its petition and evidence, the City do one, all, or a combination of the following:

1. Find that Ordinance No. O-07-87 does not apply; and/or
2. Find that the properties conditions at 2551 75th Street are in substantial compliance with Ordinance No. O-07-87; and/or
3. Revoke certain variance provisions in Ordinance No. O-07-87; and/or
4. Repeal and revoke Ordinance No. O-07-87.

Petition for Zoning Ordinance Relief and Supporting Evidence

I. Ordinance No. O-07-87 is Obsolete and Does Not Apply or the Property's Substantial Compliance is Sufficient to Permit the Existing Fence to Remain

The Current Owner maintains that either the Subject Ordinance, as written, is obsolete and does not apply to the Subject Property or that the City should determine that the Subject Property in the condition as the property exists today is in substantial compliance in light of the City's waiver of certain provisions. Recent events suggest that only select provisions of the Subject Ordinance have been or will be sought to be enforced and, under such circumstances, the Subject Ordinance in its totality cannot reasonably be viewed as applying to the Subject Property.

Specifically, based on the history of the property, the Subject Ordinance was passed for the general purpose of permitting the development and operation of a camera and photograph supply store. While the Subject Property was initially developed as and operated as a camera store, such use ceased in approximately 2013 when the store suffered financial demise, vacated the space, and the property was purchased by Libero, Inc. in late October 2013.

Indeed, Section 2B) states in relevant part, "The property *shall be developed* in accordance with the following...The Landscape Plan as drawn by Robert Geudtner & Associates, Sheet 1, the March 9, 1987 revision, and herein included by reference." **Ex. A** (emphasis added). Contrary to the City Staff's position, Section 2 applies only to how the Subject Property was developed. There is no evidence that the Subject Property was not initially developed according to the plans included in the Subject Ordinance.

The plain language of the Subject Ordinance does not require the Subject Property to be maintained in this particular form indefinitely. If that was true, City Staff would require Current Owners to operate a "Camera and Photographic Supply Store" at the Subject Property. **Ex. A**, preamble. To insist that Current Owners comply with some but not all of the Subject Ordinance provisions is not a workable standard nor is it supported by law. Therefore, because the Subject Ordinance has become obsolete in its primary purpose and its enforcement has become impracticable, the Current Owner requests a finding that the Subject Ordinance no longer applies or, at the very least, that the Subject Property as it exists today is in substantial compliance with the requirements of the Subject Ordinance.

Moreover, the Current Owner has expended extensive time and resources to research the history of the property after it ceased to operate as a photography and camera store. Specifically, the Current Owner learned that Libero, Inc., the previous owner of the property, sought and was granted a permit from the City that included the erection of a 6-foot fence. See **Ex. C**; Darien Police Report, attached hereto as **Exhibit D**. The City subsequently issued a Certificate of Occupancy to the previous owner on May 22, 2015, and to the Current Owner on September 27, 2022, which certified that the building was inspected for complaints with all zoning ordinances. **Exhibits E and F**. It was reasonable for both the previous property owner and the Current Owner to rely on the City's approval of the fence as a waiver of the fence variation requirement in the Subject Ordinance.

Without actual notice of the Subject Ordinance and its related variance provisions, a party would not know simply by looking at the property that it was in violation of any local laws or ordinance. In fact, the opposite is true: the property, as it exists now, complies with the general rule to have a fence erected between residential and commercial properties. Therefore, the City should make a formal finding that Subject Ordinance either does not apply to the Subject Property because of the City's approval and waiver, or, at the very least, it is in substantial compliance with the essential provisions of the Subject Ordinance.

II. Revocation of Certain Variation Provisions of the Subject Ordinance

Even if the City declines to find that the Subject Ordinance is inapplicable or substantially complied with, the Current Owner requests relief from certain provisions of the Subject Ordinance granting variations. Specifically, the Current Owner asks that the City repeal or revoke the variation provisions with respect to the specific land use and the landscape and fence site plan developed in 1987 as required by the Subject Ordinance.

The Subject Ordinance granted variances to, among other things, operate a camera and photography store with a site plan that did not require a fence between residential and commercial properties. Section 3l) of the Subject Ordinance reads, in part, "The following variations to the City of Darien Zoning Ordinance are hereby granted...To permit fencing and landscaping as shown by the referenced Site Plan and Landscape Plan instead of the fencing as required by Section 5A-5-8-3A." **Ex. A**. Section 5A-5-8-3A of the City's Zoning Ordinance reads, for Business And Office-Industrial Districts; Residential Adjacency, "[w]here a lot in the business or office- industrial district adjoins a lot in a residential district, a fence is required as provided in the applicable zoning district regulations." Thus, the variation at issue in the Subject Ordinance waived the requirement that there be a fence installed between residential and commercial properties.

Under the City's Zoning Ordinance, a petitioner may seek revocation of a variance by request to the City. Section 5A-2-2-3H provides, in relevant part, that "[a] variation granted by the City Council shall be subject to revocation in the manner provided hereinbelow under any of the following circumstances...

- (d) Following the issuance of occupancy permits, abandonment, or other failure to utilize the property for the purposes permitted by the variation for a period of two (2) months out of any consecutive six (6) month period...

- (g) Where changed circumstances or experience derived from the exercise of the variation previously granted indicates that the continuation of the variation does not carry out the goals of this title.”

As to subsection (d), it is undisputed that the Subject Property abandoned its variance to operate as a camera and photography supply store since such use ceased in at least 2013, perhaps even earlier, which has not been challenged by the City, any resident, or any other third party. **Ex. A**, preamble. It is equally undisputed that the subject fence was installed in July or August of 2014 and has been continuously in its current position since that time and that the City issued a Certificate of Occupancy on May 22, 2015, stating that the Subject Property was compliant with all zoning ordinances. **Exs. C, D, E**. Later, the City issued a Certificate of Occupancy to the Current Owner on September 27, 2022, again certifying that the Subject Property had been inspected and deemed to be compliant. **Ex. F**.

Most importantly, the City provided explicit approval in July of 2014 when the previous owner took proper steps and applied for a permit to make improvements at the property, with such plans specifically including the installation of a fence in the precise location where the current fence exists. **Exs. C and D**. This official approval constitutes a waiver by the City to enforce the fence variance provisions in the Subject Ordinance. Both the prior owner and the Current Owner were entitled to rely on the City's review and approval of the proposed plans in proceeding with the work and maintaining the premises consistent with improvements, as the Current Owner has done.

As to subsection (g), given the development, history, and proposed used the Subject Property, it is without dispute that the Subject Property has undergone “a change in circumstances” such that is both impractical and improbable that a camera and photography store would operate there after ceasing such operations in 2013 or even earlier. The same can be said of the erected fence, which has proven to offer mutually beneficial protection for neighboring properties from the commercial use of the Subject Property. Indeed, the Darien Zoning Ordinance has the stated purpose for “improving and protecting the public health, safety, comfort, convenience, and general welfare of the people,” as well as “[t]he fulfillment of this purpose is to be accomplished by seeking the following objectives...6. To zone all properties with a view to conserving the value of buildings and encouraging the most appropriate use of land throughout the City...11. To foster a more rational pattern of relationship between residential, business, commercial, and manufacturing uses for the mutual benefit of all...15. To enhance aesthetic values throughout the City.” Section 5A-1-2.

Given that the potential buyer, Dr. Tharp, has provided written confirmation as to his preference to purchase the property with the fence as it is, revocation of the variance would operate to conserve the value of the building as it exists today. See Dr. Tharp Letter, **Exhibit G**. Having the protection provided by the fence both fosters a more rational relationship between residential and commercial properties, works to the benefit of all, and enhances the aesthetic values of the property. All but one adjoining property owner has offered formal, written support to maintain the fence in its current state and position. See Neighbor Support Letters, **Group Exhibit H**.

Because the variances contained in the 1987 Subject Ordinances have been abandoned for a considerable amount of time and revocation of them supports the overall purpose of the Darien

Zoning Ordinance, the Current Owner respectfully requests relief from the Subject Ordinance as written, including revocation of the variances regarding property use and fencing and landscaping requirements.

III. Repeal and Revocation of the Subject Ordinance for the Benefit of All

The Subject Ordinance, passed in 1987, no longer serves a substantive purpose and, instead, has the more likely potential to act as a hinderance on meaningful use of the Subject Property—as has been demonstrated by the issues that have arisen in Dr. Tharp’s quest for an appropriate zoning permit and may impact the possible sale the Subject Property and planned use that would greatly benefit Darien residents of all demographics. Under the circumstances, the Current Owner respectfully requests that the City repeal and/or revoke, in its entirety, Ordinance No. O-07-87, **Exhibit A**, for the benefit of the current and future owners of the property, as well as the residents of the community at large.

Respectfully submitted,

/s/ Tome Dirlevski _____

/s/ Andriana Dirlevski _____

Dirlevski Properties LLC, Petitioner

List of Exhibits and Attachments

Exhibit A	Ordinance No. O-07-87 (“Subject Ordinance”)
Exhibit B	Email Communication from City Staff (with attachments)
Exhibit C	City of Darien Building Permit #12609 with Related Documents and Plans
Exhibit D	City of Darien Police Report
Exhibit E	Certificate of Occupancy dated May 22, 2015
Exhibit F	Certificate of Occupancy dated September 27, 2022
Exhibit G	Dr. Steven Tharp Letter
Group Exhibit H	Neighbor Support Letters
Exhibit I	Select City of Darien Zoning Ordinance Provisions (as cited)

Prepared on Behalf of Petitioner by:



ELIZABETH R. URIBE

attorney

☎ 312-459-1094

✉ actionsspeakllc@gmail.com

📍 26 West Praveno Court
Deserets Grove Illinois

🌐 actionsspeakllc.net

Keep Record
2nd Copy

CITY OF DARIEN

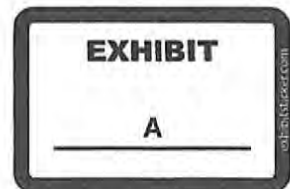
ORDINANCE NUMBER 0-07-87

AN ORDINANCE GRANTING APPROVAL OF CERTAIN
VARIATIONS TO ZONING ORDINANCE - (LION PHOTO).

ADOPTED BY THE
MAYOR AND CITY COUNCIL
OF THE
CITY OF DARIEN

THIS 6th DAY OF April, 1987

Published in pamphlet form
by authority of the Mayor
and City Council of the
City of Darien, DuPage
County, Illinois, this
8th day of April,
1987.



STATE OF ILLINOIS)
) SS
COUNTY OF DU PAGE)

CERTIFICATE

I, Gertrude M. Coit, C.M.C., certify that I am the duly elected and acting municipal clerk of the City of Darien, Du Page County, Illinois.

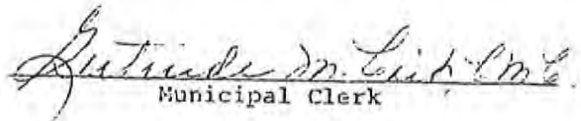
I further certify that on April 6, 1987, the Corporate Authorities of such municipality passed and approved Ordinance Number 0-07-87, entitled AN ORDINANCE GRANTING APPROVAL OF CERTAIN VARIATIONS TO ZONING ORDINANCE - (LION PHOTO)

which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance Number 0-07-87, including the Ordinance and a cover sheet thereof was prepared, and a copy of such Ordinance was posted in the municipal building, commencing on April 8, 1987, and continuing for at least ten (10) days thereafter. Copies of such Ordinance were also available for public inspection upon request in the office of the municipal clerk.

DATED at Darien, Illinois, this 8th day of April, 1987.

(SEAL)


Municipal Clerk

ORDINANCE NUMBER 0-07-87

AN ORDINANCE GRANTING APPROVAL OF CERTAIN
VARIATIONS TO ZONING ORDINANCE - (LION PHOTO).

WHEREAS, the City of Darien has received a petition for certain variations to allow the development of a property legally described herein; and,

WHEREAS, the petitioner wishes to develop a property which is zoned B-1 Neighborhood Convenient Shopping District as a Camera and Photographic Supply Store; and,

WHEREAS, pursuant to proper legal notice a Public Hearing was held before the Zoning Board of Appeals on March 3, 1987; and,

WHEREAS, the Zoning Board of Appeals at their regular meeting of March 3, 1987 has recommended to the City Council the approval of certain variations subject to certain conditions.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DARIEN, DU PAGE COUNTY, ILLINOIS, as follows:

SECTION 1: The granting of variations herein is for the following legally described property:

Lot 1 in Sharon Estates being a subdivision of Tract "A" of Downers Grove Township Supervisor's Assessment Plat Number 2 of the North 1050.0 feet of the Northwest Quarter of the Southwest Quarter of Section 29, Township 38 North, Range 11, East of the Third Principal Meridian, according to the plat of said Sharon Estates recorded March 6, 1957 as Document 834504 in DuPage County, Illinois.

SECTION 2: The property shall be developed in accordance with the following:

ORDINANCE NUMBER 0-07-87

- A) The Site Plan as drawn by Robert Geudtner & Associates, Inc., 711 North McKinley Road, Lake Forest, Illinois, Job No. 1194, Sheet SK-2, March 5, 1987 revision, and herein included by reference.
- B) The Landscape Plan as drawn by Robert Geudtner & Associates, Sheet 1, the March 9, 1987 revision, and herein included by reference.
- C) The building elevations as shown by the Proposed Darien, Illinois, Store for Lion Photo Plan, as drawn by Robert Geudtner & Associates, Job No. 1194, Sheet SK-2, the January 3, 1987 revision, and herein included by reference.

SECTION 3: The following variations to the City of Darien Zoning Ordinance are hereby granted:

- A) To permit a Camera and Photographic Supply Store in a B-1 Zoning District in addition to the uses as permitted by Section 5A-8-2-2.
- B) To permit a rear yard building setback of twenty-one feet (21') instead of thirty-five feet (35') as required by Section 5A-8-1-4B and Section 5A-8-2-7C.
- C) To permit an interior side yard building setback of twenty feet (20') instead of thirty-five feet (35') as required by Section 5A-8-1-4B and Section 5A-8-2-7B.
- D) To permit a front yard parking setback of fifteen feet (15') instead of thirty feet (30') as required by Section 5A-8-2-7A.
- E) To permit a corner side yard parking setback of zero feet (0') instead of twenty feet (20') as required by Section 5A-11-2-1D3.
- F) To permit a side yard parking setback of twenty feet (20') instead of thirty feet (30') as required by Section 5A-11-2-1D3.
- G) To permit a rear yard parking setback of ten feet (10') instead of thirty feet (30') as required by Section 5A-11-2-1D3.
- H) To permit twenty-seven (27) parking spaces instead of twenty-nine (29) parking spaces as required by Section 5A-1-4.

ORDINANCE NUMBER 0-07-87

- I) To permit fencing and landscaping as shown by the referenced Site Plan and Landscape Plan instead of the fencing as required by Section 5A-5-8-3A.
- J) To permit nine foot by twenty foot (9' x 20') parking spaces instead of ten foot by twenty foot (10' x 20') parking spaces as required by Section 5A-11-2-1G3.

Where this Ordinance is silent, the referenced Plans of Section 2 above shall apply.

SECTION 4: This Ordinance shall be in full force and effect from and after its passage and approval and shall subsequently be published in pamphlet form as provided by law.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF DARIEN, DU PAGE COUNTY, ILLINOIS, this 6th day of April, 1987.

[Signature]
CITY CLERK

AYES: 6: Biehl, Gillespie, Sims, Smith,
Stumpe, Thompson

NAYS: 0: None

ABSENT: 2: Nosbisch, VonZuckerstein

APPROVED BY THE MAYOR OF THE CITY OF DARIEN, DU PAGE COUNTY, ILLINOIS, THIS 8th DAY OF April, 1987.

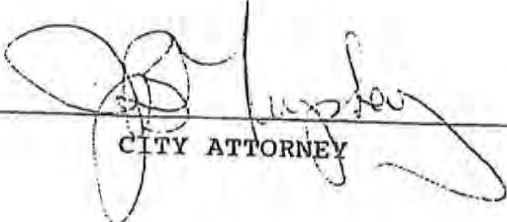
[Signature]
MAYOR

ATTEST:

[Signature]
CITY CLERK

ORDINANCE NUMBER 0-07-87

APPROVED AS TO FORM:


CITY ATTORNEY

Liter Paper Supply, Inc. being the owner or other party in interest of the property legally described within this Ordinance, having read a copy of the Ordinance, does hereby accept, concur, and agree to develop and use the subject property in accordance with the conditions specified therein.

Dated: 4-14-87


Owner RENT FOR

Elizabeth R. Uribe

From: Dan Gombac
Sent: Wednesday, May 22, 2024 9:42 AM
To: 'dirlevski@gmail.com'
Subject: FW: 2551 75th PZC Follow Up
Attachments: Lion Photo Site Plan.pdf, Untitled

From: Dan Gombac
Sent: Tuesday, May 21, 2024 2:04 PM
To: 'Dr Steven Tharp DDS' <drsteventharp@gmail.com>
Cc: 'Rasa Tharp' <rasa82@yahoo.com>; 'Peter J. Cangialosi' <pete@jrossiandassociates.com>; Eric Gustafson <egustafson@darienil.gov>; Tom Belczak <tbelczak@darienil.gov>; 'Paul Jopa' <pkj4567@hotmail.com>; Bryon Vana <bvana@darienil.gov>; Joe Marchese <jmarchese@darienil.gov>; Lou Mallers <lmallers@darienil.gov>; "dirlevski@gmail.com" <dirlevski@gmail.com>
Subject: FW: 2551 75th PZC Follow Up

With additional att

From: Dan Gombac
Sent: Tuesday, May 21, 2024 1:58 PM
To: Dr Steven Tharp DDS <drsteventharp@gmail.com>
Cc: Rasa Tharp <rasa82@yahoo.com>; Peter J. Cangialosi <pete@jrossiandassociates.com>; Eric Gustafson <egustafson@darienil.gov>; Tom Belczak <tbelczak@darienil.gov>; 'Paul Jopa' <pkj4567@hotmail.com>; Bryon Vana <bvana@darienil.gov>; Joe Marchese <jmarchese@darienil.gov>; Lou Mallers <lmallers@darienil.gov>; 'direvski@gmail.com' <direvski@gmail.com>
Subject: RE: 2551 75th PZC Follow Up

Good morning Dr. Tharp,

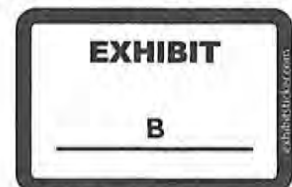
As a follow up to the Planning and Zoning Commission Meeting, resident Jopa Paul, 7518 Cambridge, (708)528-1536, addressed the PZC regarding the south east leg of the property. Mr. Jopa referenced an existing fence and further informed the PZC the referenced area was to be maintained with a landscape setting. Staff has reviewed previous documentation and the City Council approved Ordinance O-07-87, see att and an approved Site Plan, see att. regarding certain conditions. During our field review it was identified that a 6 foot fence was replaced and installed within the last 10 years. The limits of the fence are not in accordance with the site plan as part of a condition of the ordinance. Further reference may be reviewed on pages 2 and 3, highlighted.

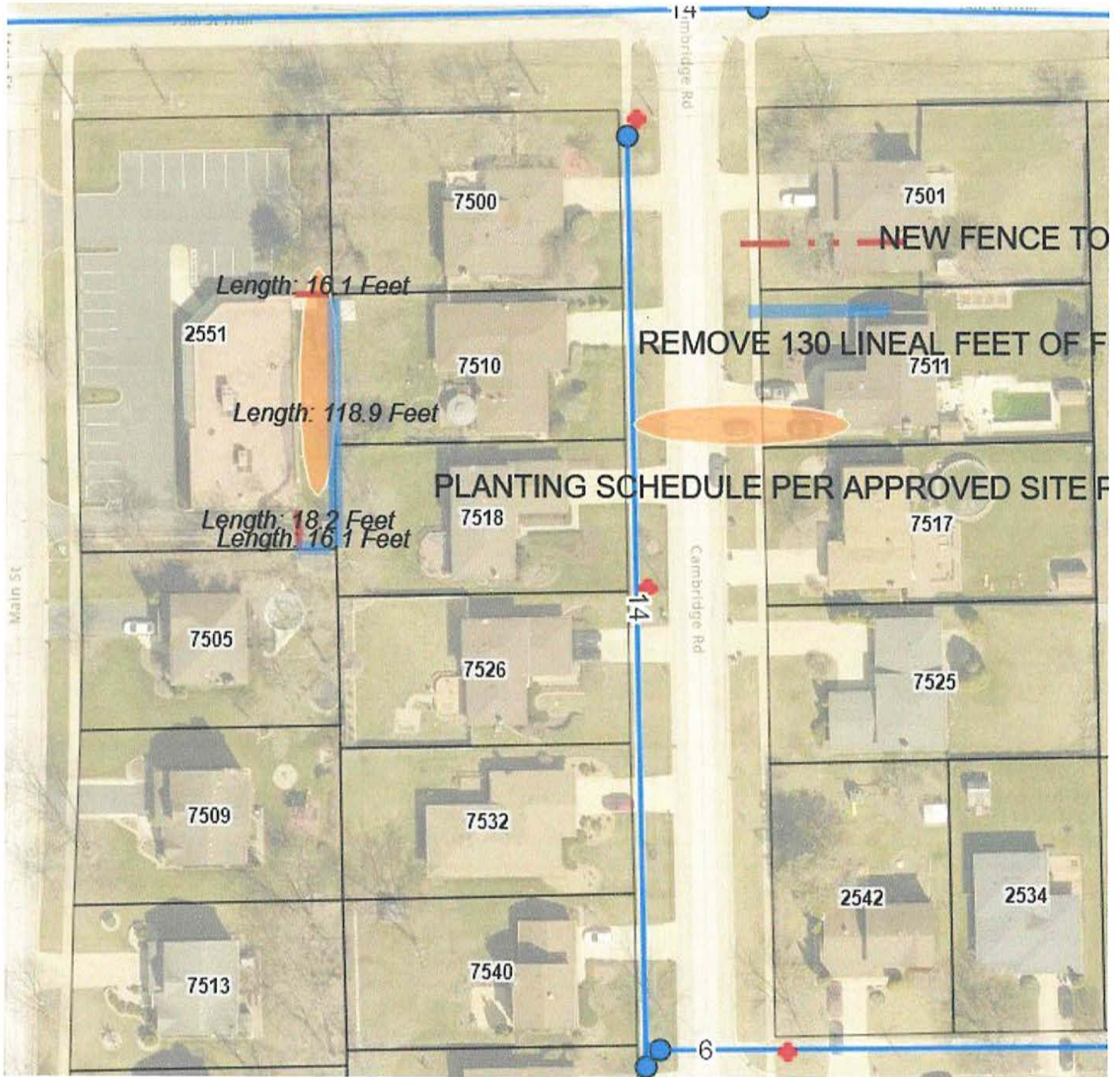
Upon review, the below items shall become part of the Building Permit process pending approval of the proposed use. Should the proposed use not be approved, the owner of the property will need to be in compliance with said site plan.

Please refer to the below aerial regarding the improvements:

In summary, the specificity of the requirements are such:

1. Remove approx. 130 lineal feet of fence along the eastern property line
2. Install approx. 34 lineal feet of fence at the southern corner of the building and the northern corner of the building to the property line or the existing fence
3. Planting material shall be planted in accordance with the site plan, att and labeled as Sheet 1, dated 2-10-87.





From: Jordan Yanke <jyanke@darienil.gov>
Sent: Thursday, May 16, 2024 1:20 PM
To: Dr Steven Tharp DDS <drsteventharp@gmail.com>
Cc: Rasa Tharp <rasa82@yahoo.com>; Dan Gombac <dgombac@darienil.gov>; Peter J. Cangialosi <pete@jrossiandassociates.com>
Subject: RE: 2551 75th St Letter of Intent

Dr. Tharp – Thanks for your email.

I will let Dan respond regarding the buffer but best of luck through the rest of the process.



Jordan Yanke

Senior Planner
1702 Plainfield Road, Darien, IL 60561
Email: jyanke@darienil.gov
Office: (630) 353-8113 |
Connect with the City of Darien!



From: Dr Steven Tharp DDS <drsteventharp@gmail.com>
Sent: Thursday, May 16, 2024 12:09 PM
To: Jordan Yanke <jyanke@darienil.gov>
Cc: Rasa Tharp <rasa82@yahoo.com>; Dan Gombac <dgombac@darienil.gov>; Peter J. Cangialosi <pete@jrossiandassociates.com>
Subject: Re: 2551 75th St Letter of Intent

Jordan & Dan,

It was nice to finally be able to put faces to the names/emails. Thank you both for guiding us through the first step of approval

Dan, What should I know about the "buffer" concerns the neighbor brought up at the meeting? Would this be easier to understand with a phone call?

Jordan. I am sorry to hear that you are leaving, but thank you again for your help and good luck in your future endeavors.

Thank you both again,

-Steven Tharp

815-712-6521

On Wed, Apr 24, 2024 at 2:11 PM Jordan Yanke <jyanke@darienil.gov> wrote:

Dr. Tharp –

Sorry to have missed you. This is to confirm receipt of the notarized application. I'll be in touch in the coming days with further direction on the case.



Jordan Yanke

Senior Planner
1702 Plainfield Road, Darien, IL 60561

Email: jyanke@darienil.gov

Office: (630) 353-8113 |

Connect with the City of Darien!



From: Dr Steven Tharp DDS <drsteventharp@gmail.com>

Sent: Wednesday, April 24, 2024 1:51 PM

To: Jordan Yanke <jyanke@darienil.gov>

Cc: Rasa Tharp <rasa82@yahoo.com>; Dan Gombac <dgombac@darienil.gov>; Peter J. Cangialosi <pete@jrossiandassociates.com>

Subject: Re: 2551 75th St Letter of Intent

Hello Jordan, I just stopped by to drop off the notarized copy. I was hoping to finally meet you in person, but I apparently just missed you before your lunch break. Please let me know if you need anything else from us.

Thanks,

Steven Tharp


On Thu, Apr 18, 2024, 9:32 AM Jordan Yanke <jyanke@darienil.gov> wrote:

Dr. Tharp – Thanks for your email and hard copy submittals.

It appears the only remaining item is to notarize the zoning application. You can do so on your end and email to me or come into City Hall and have one of our notaries do it. If you plan to come in please give me a heads up so I can ensure a notary is available.

Regarding the newspaper, this week versus next week will not change the hearing date, which will have to be May 15, 2024 due to noticing requirements of at least 15 days in advance. We will be in touch with further direction in the coming days. Give me a call with any questions.

From: Dr Steven Tharp DDS <drsteventharp@gmail.com>
Sent: Thursday, April 18, 2024 1:37 AM
To: Jordan Yanke <jyanke@darienil.gov>
Cc: Rasa Tharp <rasa82@yahoo.com>; Dan Gombac <dgombac@darienil.gov>; Peter J. Cangialosi <pete@jrossiandassociates.com>
Subject: Re: 2551 75th St Letter of Intent

 Special use permit Darien.pdf

Hi Jordan,

After your meeting Rasa was able to get the list of residents from the Assessor's Office. We also received the owner's permission letter. Attached is a completed copy of the application with all the required documents. In the morning I will have someone drop off a hard copy of all the documents with stamped and addressed 19 envelopes and the application fee check.

Would it be possible to submit the newspaper publishing request this Friday instead of waiting for next week?

Thank you again for your assistance with this process

Rasa and Steve Tharp

On Mon, Apr 15, 2024 at 8:58 PM Dr Steven Tharp DDS <drsteventharp@gmail.com> wrote:

Yes, Jordan this works. Rasa will be there Wednesday at 3PM.

Thanks!

Steve

On Mon, Apr 15, 2024 at 4:12 PM Jordan Yanke <jyanke@darienil.gov> wrote:

Thanks, Rasa.

It is not necessary, only was offering. Let's (you and I) meet to discuss at City Hall on Wednesday (04/17) at 3:00PM. Can you confirm?

From: Rasa Tharp <rasa82@yahoo.com>
Sent: Monday, April 15, 2024 4:09 PM
To: Dr Steven Tharp DDS <drsteventharp@gmail.com>; Dan Gombac <dgombac@darienil.gov>; Jordan Yanke <jyanke@darienil.gov>
Cc: Peter J. Cangialosi <pete@jrossiandassociates.com>
Subject: Re: 2551 75th St Letter of Intent

Hi Jordan,

If you would like Steve Tharp would be part of the meeting, can we do at 8am so he doesn't have to take time off from work? If it's not necessary for him to be at the meeting my schedule is a lot more flexible. By any chance your schedule is open tomorrow morning or Wednesday? Or do you need a little notice?

Rasa Tharp

On Monday, April 15, 2024 at 02:50:52 PM CDT, Jordan Yanke <jyanke@darienil.gov> wrote:

Dr. Tharp – Thanks for your email.

In response, I have included the City's Zoning Application that details process and submittals. If you plan to file a zoning application for a text amendment/special use (in conjunction) to allow a dental office at the subject location, please review the application and then we should meet to run through process and expectations before a formal application. Let me know a few dates/times you can meet if you plan to apply?

From: Dr Steven Tharp DDS <drsteventharp@gmail.com>
Sent: Thursday, April 11, 2024 12:40 PM
To: Dan Gombac <dgombac@darienil.gov>; Jordan Yanke <jyanke@darienil.gov>
Cc: Rasa Tharp <rasa82@yahoo.com>; Peter J. Cangialosi <pete@jrossiandassociates.com>
Subject: 2551 75th St Letter of Intent

Hello Dan & Jordan.

My wife, Rasa, spoke with both of you yesterday regarding the zoning for 2551 75th Street.

Attached is the requested letter of intent.

Thank you both for thoroughly explaining the process and we are looking forward to completing the next steps.

-Steve

--

Steven Tharp DDS

-

Steven Tharp DDS

--

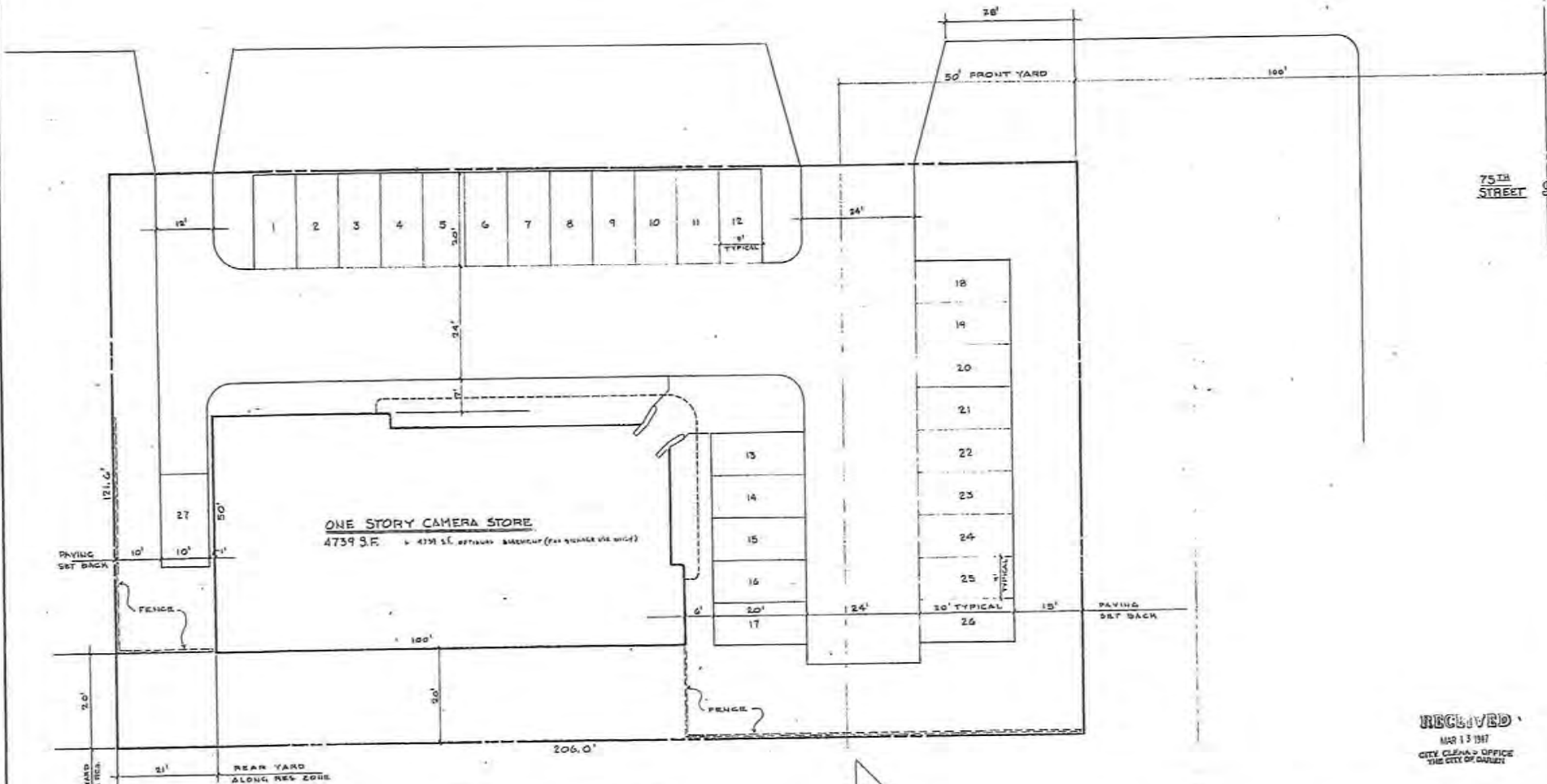
Steven Tharp DDS

--

Steven Tharp DDS

SOUTH MAIN STREET

75TH STREET



ONE STORY CAMERA STORE
4739 S.F. 4739 S.F. OFFROAD DIMENSION (SEE QUOTE FOR NOTES)

SITE PLAN SCALE: 1" = 10'

RECEIVED
MAR 13 1987
CITY CLERK'S OFFICE
THE CITY OF DARIEN

DATE: 11-16-87		SITE PLAN	
BY: T.M.		SITE PLAN	
CHECKED:		SITE PLAN	
REVISIONS:		SITE PLAN	
NO.	DATE	BY	DESCRIPTION
1		T.M.	1" = 10'
2			
3			
4			

SITE PLAN		JOB NO.		SHEET	
LION PHOTO		1194		SK-2	
DARIEN, ILLINOIS					
ROBERT GEUDTNER & ASSOCIATES, INC.					
ARCHITECTS & ENGINEERS					
711 N. MCKINLEY RD. LAKE FOREST, ILL. 60046-4440					

Keep Record
2nd Copy

CITY OF DARIEN

ORDINANCE NUMBER 0-07-87

AN ORDINANCE GRANTING APPROVAL OF CERTAIN
VARIATIONS TO ZONING ORDINANCE - (LION PHOTO).

ADOPTED BY THE
MAYOR AND CITY COUNCIL
OF THE
CITY OF DARIEN

THIS 6th DAY OF April, 1987

Published in pamphlet form
by authority of the Mayor
and City Council of the
City of Darien, DuPage
County, Illinois, this
8th day of April,
19 87.

STATE OF ILLINOIS))
) SS
COUNTY OF DU PAGE)

CERTIFICATE

I, Gertrude M. Coit, C.M.C., certify that I am the duly elected and acting municipal clerk of the City of Darien, Du Page County, Illinois.

I further certify that on April 6, 1987, the Corporate Authorities of such municipality passed and approved Ordinance Number 0-07-87, entitled AN ORDINANCE GRANTING APPROVAL OF CERTAIN VARIATIONS TO ZONING ORDINANCE - (LION PHOTO)

which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance Number 0-07-87, including the Ordinance and a cover sheet thereof was prepared, and a copy of such Ordinance was posted in the municipal building, commencing on April 8, 1987, and continuing for at least ten (10) days thereafter. Copies of such Ordinance were also available for public inspection upon request in the office of the municipal clerk.

DATED at Darien, Illinois, this 8th day of April, 1987.

(SEAL)

Gertrude M. Coit, C.M.C.
Municipal Clerk

ORDINANCE NUMBER 0-07-87

AN ORDINANCE GRANTING APPROVAL OF CERTAIN
VARIATIONS TO ZONING ORDINANCE - (LION PHOTO).

WHEREAS, the City of Darien has received a petition for certain variations to allow the development of a property legally described herein; and,

WHEREAS, the petitioner wishes to develop a property which is zoned B-1 Neighborhood Convenient Shopping District as a Camera and Photographic Supply Store; and,

WHEREAS, pursuant to proper legal notice a Public Hearing was held before the Zoning Board of Appeals on March 3, 1987; and,

WHEREAS, the Zoning Board of Appeals at their regular meeting of March 3, 1987 has recommended to the City Council the approval of certain variations subject to certain conditions.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DARIEN, DU PAGE COUNTY, ILLINOIS, as follows:

SECTION 1: The granting of variations herein is for the following legally described property:

Lot 1 in Sharon Estates being a subdivision of Tract "A" of Downers Grove Township Supervisor's Assessment Plat Number 2 of the North 1050.0 feet of the Northwest Quarter of the Southwest Quarter of Section 29, Township 38 North, Range 11, East of the Third Principal Meridian, according to the plat of said Sharon Estates recorded March 6, 1957 as Document 834504 in DuPage County, Illinois.

SECTION 2: The property shall be developed in accordance with the following:

ORDINANCE NUMBER 0-07-87

- A) The Site Plan as drawn by Robert Geudtner & Associates, Inc., 711 North McKinley Road, Lake Forest, Illinois, Job No. 1194, Sheet SK-2, March 5, 1987 revision, and herein included by reference.
- B) The Landscape Plan as drawn by Robert Geudtner & Associates, Sheet 1, the March 9, 1987 revision, and herein included by reference.
- C) The building elevations as shown by the Proposed Darien, Illinois, Store for Lion Photo Plan, as drawn by Robert Geudtner & Associates, Job No. 1194, Sheet SK-2, the January 3, 1987 revision, and herein included by reference.

SECTION 3: The following variations to the City of Darien Zoning Ordinance are hereby granted:

- A) To permit a Camera and Photographic Supply Store in a B-1 Zoning District in addition to the uses as permitted by Section 5A-8-2-2.
- B) To permit a rear yard building setback of twenty-one feet (21') instead of thirty-five feet (35') as required by Section 5A-8-1-4B and Section 5A-8-2-7C.
- C) To permit an interior side yard building setback of twenty feet (20') instead of thirty-five feet (35') as required by Section 5A-8-1-4B and Section 5A-8-2-7B.
- D) To permit a front yard parking setback of fifteen feet (15') instead of thirty feet (30') as required by Section 5A-8-2-7A.
- E) To permit a corner side yard parking setback of zero feet (0') instead of twenty feet (20') as required by Section 5A-11-2-1D3.
- F) To permit a side yard parking setback of twenty feet (20') instead of thirty feet (30') as required by Section 5A-11-2-1D3.
- G) To permit a rear yard parking setback of ten feet (10') instead of thirty feet (30') as required by Section 5A-11-2-1D3.
- H) To permit twenty-seven (27) parking spaces instead of twenty-nine (29) parking spaces as required by Section 5A-1-4.

ORDINANCE NUMBER 0-07-87

- I) To permit fencing and landscaping as shown by the referenced Site Plan and Landscape Plan instead of the fencing as required by Section 5A-5-8-3A.
- J) To permit nine foot by twenty foot (9' x 20') parking spaces instead of ten foot by twenty foot (10' x 20') parking spaces as required by Section 5A-11-2-1G3.

Where this Ordinance is silent, the referenced Plans of Section 2 above shall apply.

SECTION 4: This Ordinance shall be in full force and effect from and after its passage and approval and shall subsequently be published in pamphlet form as provided by law.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF DARIEN, DU PAGE COUNTY, ILLINOIS, this 6th day of April, 1987.

[Signature]
CITY CLERK

AYES: 6: Biehl, Gillespie, Sims, Smith,
Stumpe, Thompson

NAYS: 0: None

ABSENT: 2: Nosbisch, VonZuckerstein

APPROVED BY THE MAYOR OF THE CITY OF DARIEN, DU PAGE COUNTY, ILLINOIS, THIS 8th DAY OF April, 1987.

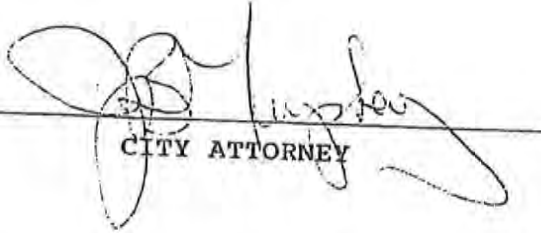
[Signature]
MAYOR

ATTEST:

[Signature]
CITY CLERK

ORDINANCE NUMBER 0-07-87

APPROVED AS TO FORM:



 CITY ATTORNEY

Liter Paper Supply, Inc. being the owner or other party in interest of the property legally described within this Ordinance, having read a copy of the Ordinance, does hereby accept, concur, and agree to develop and use the subject property in accordance with the conditions specified therein.

Dated: 4-14-87



 Owner

APPLICATION FOR BUILDING/PUBLIC WORKS PERMIT



CITY OF DARIEN

PERMIT # 12609

1702 Plainfield Rd, Darien, IL 60561
 Phone: 630-353-8115
 Fax: 630-852-4709

DATE: 06 / 30 / 2014
~~06 / 30 / 2014~~

BUILDING DEPARTMENT PERMIT APPLICATION

Property Information

Street Address 2551 75th St., Darien, IL	Apt #	Zip	Parcel #
Subdivision / Business Name No Business Use at this time.	Lot #	Parcel Type:	Zoning: B-2

per owner. 7-1-14 Mef

Property Owner Information

Name Liberty Inc.		Phone # 630-888-2242	
Address (if different) 8383 Main Street		Fax # 630-783-2800	
City Downers Grove	State IL	Zip 60516	Email: fivecapital@live.com

Construction Information

<input type="radio"/> Residential <input checked="" type="radio"/> Commercial <input type="radio"/> Demolition <input type="radio"/> Other	Description of Work interior alterations and new fence	Construction Cost \$7,000.00
---	--	---

Certification:

I hereby certify that I am the owner of record of the named property, or that the proposed work is authorized by the owner to make this application as his authorized agent and I agree to conform to all applicable laws of this jurisdiction. In addition, if a permit for work described in this application is issued, I certify that the code official or the code officials authorized representative shall have the authority to enter areas covered by such permit at any reasonable hour to enforce the provisions of the code(s) applicable to such permit. I understand all permits expire one year from date of issue.

Richard Blair

630-472-1000

Applicant Signature *Architect*
Richard Blair

Phone #

Print Name



Contractors Information:

	Name and Address	Phone #	Darien License Current
Architect	GEA Architects LTD, 714 Enterprise Dr., Ste 100, Oak Brook, IL 60523	630-472-1000	
General Contr.	LB Eurocraft	630-670-3157	<i>ok</i>
Excavation			
Concrete			
Carpentry			
Electrical	<i>Leik</i> Phelk Electric	7736277710	<i>ok</i>
Plumbing	Trusty Plumbing	630 518 2092	<i>ok</i>
Sewer			
Mechanical			
Roofing			
Masonry			
Drywall			
Sprinkler			
Paving			
Other			

.....
Office use only

Building Department approvals and fees:

Signature	Date Approved
Zoning/Flood Plain: <i>ok No FP</i>	<i>B-1</i> <i>MJ 7-2-14</i>
Plan Review:	
Fire Dept:	
Health Dept:	

Permit Fee: 375.00 Plan Review Fee: 115.00 Occupancy Fee: _____

Other Fee: _____

TOTAL FEE: 490.00

Issued By: <i>MW</i>	Date: <i>7-22-14</i>
----------------------	----------------------

BUILDING CODE COMPLIANCE REQUIREMENTS

Date: July 7, 2014

Re: City of Darien
Interior Remodel (Vanilla Box)
2551 75th Street
Darien, IL 60561

The submitted plans have been reviewed for Building Code compliance, and based on the information contained therein, we comment as follows:

- (X) Permit plans prepared by George Evangelopoulos, Architect submitted to the City of Darien Building Department on July 1, 2014 are **APPROVED**, however we recommend that the applicant agrees to comply with the requirements noted below by signing this review and making it part of the permit documents.


This review shall not constitute authority for, nor approval or waiver of, any violation of the provisions of the Building Codes, and regulations of the City of Darien.

Building Code:

1. This review is for a "Vanilla Box" ONLY.
2. Contact Darien Fire Protection District for any/all requirements.
3. Required Inspections:
 - A. Underground Plumbing (if applicable)
 - B. Rough Plumbing
 - C. Rough Electric
 - D. Rough Mechanical/Frame
 - E. Plumbing Final
 - F. Electric Final
 - G. Mechanical/Building Final

NOTICE Regarding Fees for Reinspections:

Commercial: Whenever a reinspection is required due to inaccurate information or construction, a reinspection fee of \$130.00 (\$100.00 fee plus \$30.00 penalty) shall be charged. If additional reinspections are required, a fee of \$150.00 (\$100.00 fee plus \$50.00 penalty) shall be charged. These fees are payable prior to the reinspection being performed.



Signature

Date

Print Name

PLAN EXAM COMPENSATION EXPENSES

Date: July 7, 2014

Re: City of Darien
Interior Remodel (Vanilla Box)
2551 75th Street
Darien, IL 60561

Building Code Review	=	<u>\$115.00</u>
TOTAL	=	\$115.00

Comments continued, see next page.

Don Morris Architects P.C.

616 Executive Drive, Willowbrook, IL 60527
Phone (630) 920-8175 Fax (630) 920-8091

To: Ms. Mary Wintermute
Community Development Department
City of Darien
1702 Plainfield Road
Darien, IL 60561

From: Donald E. Morris

Date: July 7, 2014

Re: City of Darien
Interior Remodel (Vanilla Box)
2551 75th Street
Darien, IL 60561

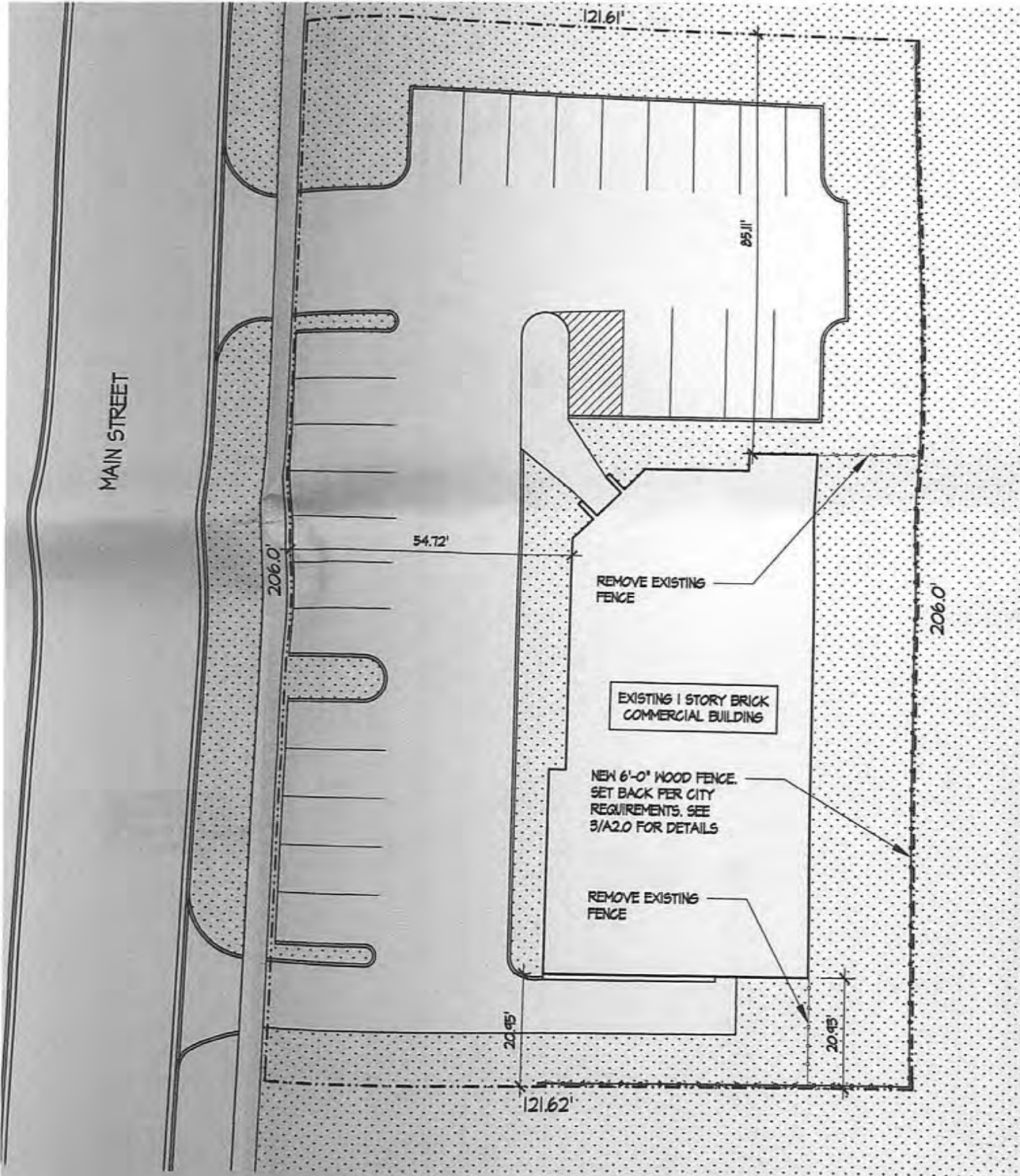
LETTER OF TRANSMITTAL

ENCLOSED PLEASE FIND:

Building Code Compliance Requirements - one page

Plan Exam Compensation Expenses - one page

Zoning Requirements - are not part of this review

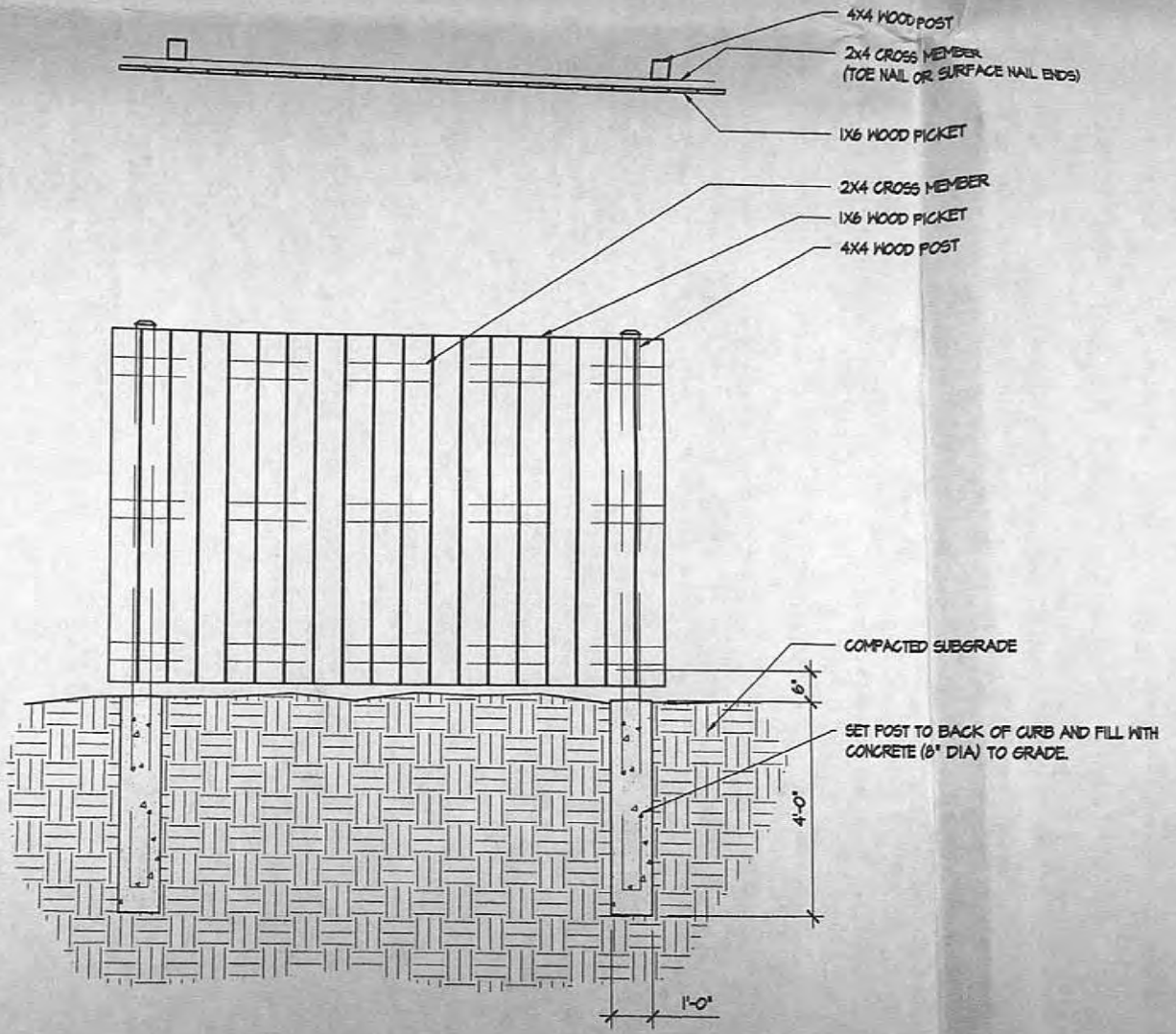
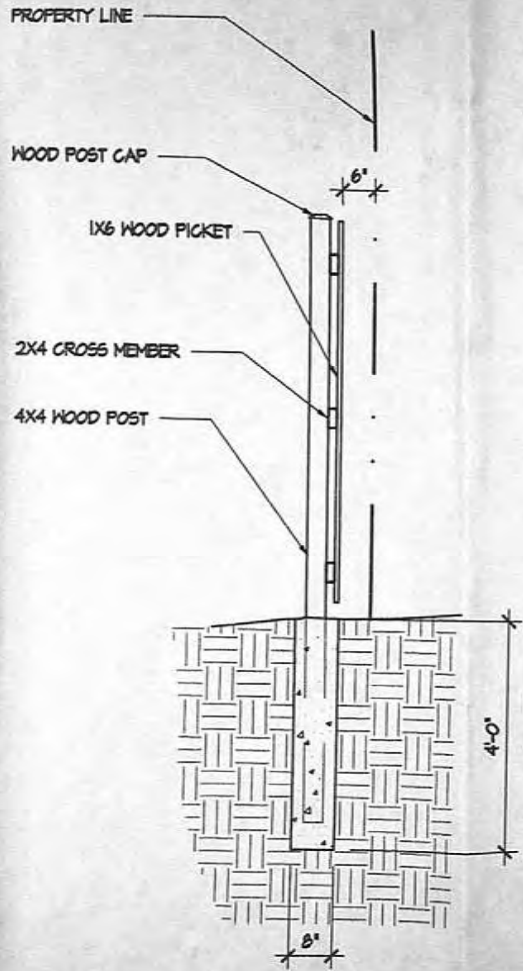


408	GENERAL E HEIGHTS &
602	CONSTR. CLASSIFI
TABLE 601	FIRE RES RATINGS I
	PRIMARY S FRU
	BEARING
	NONBEAR
	FLOOR CO ROOF CO
TABLE 602	FIRE SE DIE
CH. 7	FIRE / PRK
TABLE 803.9	INTER CEILING E
903	FIR
1004	OCC
1005	EGR
104.3	COM EGR
TABLE 1016.1	EXIT A
TABLE 1016.1	ST



PLANS APPROVED

RECEIVED



3 FENCE DETAIL
SCALE: N.T.S.

Darien Police Department Non Crime/Other

Darien Police Department
1710 Plainfield RD
Darien, IL 60561
630 971-3999

Case No. DA14-22475
Report No. DA14-22475.1
Report Date: 8/2/2014

1

Page 1 of 2

Subject: **civil assist/Kosieniak**

Case Report Status	A - Approved	Date Entered	8/2/2014 11:32:55 AM	Reporting Officer	330gk - Kosieniak, Geoff
Occurred On (and Between)	8/2/2014 10:37:00 AM	Entered By	330gk - Kosieniak, Geoff		
Location	2551 75th Street	Date Verified	8/2/2014 2:53:10 PM	Assisted By	
Jurisdiction	DA - Darien PD	Verified By	325er - Rentka, Edward		
Grid		Date Approved	8/4/2014 4:53:22 PM		
Sector		Approved By	703ep - Poteraske, Elizabeth		
Map		Connecting Cases	Inactive		
Census/Geo		Disposition			
Call Source	Phone	Clearance Reason			
		Date of Clearance			
		Reporting Agency	Darien Police Department		
		Division	Darien Police Department		
		Notified			
Vehicle Activity		Means			
Vehicle Traveling		Other Means			
Cross Street		Motive			
		Other Motives			

Report Narrative **On 8-2-14 at 1037 hours R/o responded to 2551 75th (the old Wolf Camera) for a report of a civil assist. Upon arrival I spoke with the complainant (██████████) who related the following in summary:**

He purchased the old Wolf Camera sometime in November of 2013. Since then he has been working with the city getting a plat of survey on the land and property and obtaining permits to begin work. ██████████ showed me the permits he obtained showing they were signed off by the City as of 7-8-14. The permits showed the boundary lines of the property and where the new fence was to be installed.

██████████ states today was the third day in a row where he had workers come out to begin work on the fence but could not. Robert told me each day his workers came out they were stopped by the neighbor at ██████████ who came out to tell his workers they were not building a fence. ██████████ stated the neighbor ██████████ did not give a reason why he was opposed to the fence just that he was not going to allow them.

I advised ██████████ that he needed to contact the City community Development Department to get the matter sorted out. I also advised him I would talk with the neighbor to see what his complaint was regarding the fence.

A short time later I spoke with ██████████ who stated the following in summary: The reason he was upset with the fence being erected was because two weeks prior he was told by the City that no fence was to be installed. He said there was only supposed to be landscaping put in and was afraid with a fence being put in it would be an eye soar and a dumping ground for material and garbage.

I advised ██████████ that the owner of the new building had building permits showing the boundary line and where he was able to put the fence in. I also advised him the owner told me that "JULIE" had been called in reference to any buried lines. ██████████ stated he was unaware all of that occurred and said if he is allowed per the city to begin work then he would not interfere with any future work. I also advised ██████████ to contact the city if he has any complaints as to the plat of survey or the permits so the situation could be resolved where both parties would be satisfied.

At 1145 hours I called Michael Griffith at City Hall and left him a message regarding this matter. I also contacted the building owner ██████████ and told him what happened with my conversation with the neighbor and he thanked me for my time. Nothing further to report at this time.

Offense Detail: 9915 - CIVIL ASSIST

Offense Description	9915 - CIVIL ASSIST	Location	140 - BUSINESS PLACE COMMERCIAL (OTHER THAN THOSE LISTED)
IBR Code		Offense Completed?	Yes
IBR Group		Offense Status	88 - None (No Bias)
Crime Against		Hate/Bias	No
Using		Domestic Violence	No
Criminal Activity		No. Prem. Entered	
Weapons/Force		Entry Method	
		Type Security	
		Tools Used	

EXHIBIT

D

Witness W1: ██████████

Witness Code **W1**
Name ██████████

DOB ██████████
Age **59**

Place of Birth
SSN

Darien Police Department Non Crime/Other

Case No. **DA14-22475**
Report No. **DA14-22475.1**
Report Date: **8/2/2014**

Darien Police Department
1710 Plainfield RD
Darien, IL 60561
630 971-3999

2

Page 2 of 2

AKA Alert(s)		Sex M - Male Race W - White Ethnicity N - Not of Hispanic Origin	DLN [REDACTED] DLN State IL - Illinois DLN Country USA - United States of America
Address [REDACTED] CSZ Darien, IL 60561	Ht. 6' 1" Wt. 185 Eye Color BLU - Blue Hair Color BRO - Brown	Occupation/Grade Employer/School Employer Address Employer CSZ Res. County Res. Country	Dupage USA - United States of America
Home Phone [REDACTED] Work Phone [REDACTED] Email Address	Facial Hair Complexion	Resident Status Testify	R - Resident
Attire			
Witness Notes			

Other Entity: O1 -- [REDACTED]

Entity Code O1 Entity Type C - Complainant			
Name [REDACTED] AKA [REDACTED] Alert(s)	DOB [REDACTED] Age 37 Sex M - Male Race W - White Ethnicity N - Not of Hispanic Origin	Place of Birth SSN DLN DLN State DLN Country	
Address [REDACTED] CSZ Downers Grove, IL 60516	Ht. Wt. Eye Color Hair Color Facial Hair Complexion	Occupation/Grade Employer/School Employer Address Employer CSZ Res. County Res. Country	Owner Liberto Inc 2551 75th ST Darien, IL 60561 Dupage USA - United States of America
Home Phone [REDACTED] Work Phone [REDACTED] Email Address		Resident Status	N - Nonresident
Attire			
Entity Notes			



CITY OF DARIEN
BUILDING DEPARTMENT
CERTIFICATE OF OCCUPANCY

BUILDING PERMIT NO. 12897 OCCUPANCY PERMIT NO. _____

THIS IS TO CERTIFY that the building and/or premises described below have been inspected for compliance with all provisions of the Zoning and Building Ordinances and are approved for the use and/or occupancy of:

Address 2551 75th Street Lot _____ Block _____

Occupant's name INSURE ONE

Occupancy _____ New Construction _____ Alteration XX Addition _____

APPROVED BY 
Director of Community Development

Date Approved _____ May 22, 2015

EXHIBIT
E

exhibits.darien.com



FIELD INSPECTION REPORT

CITY OF DARIEN

1702 PLAINFIELD ROAD ■ DARIEN, IL 60561

Date: 5/22/15

Permit #: _____

Address: 7551 75th St

Name: _____

Type of Inspection:

- | | | |
|---|--|---|
| <input type="checkbox"/> Footing | <input type="checkbox"/> Electric Service | <input type="checkbox"/> Stack Test |
| <input type="checkbox"/> Wall | <input type="checkbox"/> Rough Electric | <input type="checkbox"/> Pre-pour Driveway |
| <input type="checkbox"/> Backfill | <input type="checkbox"/> Rough Plumbing | <input type="checkbox"/> Slab-garage/basement |
| <input type="checkbox"/> Slab | <input type="checkbox"/> Rough Frame | <input checked="" type="checkbox"/> Final |
| <input type="checkbox"/> Drintile | <input type="checkbox"/> Insulation | <input type="checkbox"/> Rough Sewer/Water |
| <input type="checkbox"/> Underground
(Plumbing/Electric) | <input type="checkbox"/> Sidewalk/Approach | <input type="checkbox"/> Other |
| <input type="checkbox"/> Mechanical Rough | | |

Comments:

OCCUPANCY FINAL - (INSURE ONE)
IS APPROVED

<input checked="" type="checkbox"/> Approved	<input type="checkbox"/> Not Approved	<input type="checkbox"/> Needs Re-Inspection
<input type="checkbox"/> Re-Inspection Fee Due		
<input type="checkbox"/> Call For Re-Inspection (630) 852-5000		

Jason Noe
Inspectors Signature

5/22/15
Date of Inspection



DARIEN-WOODRIDGE

Fire Protection District

7550 Lyman Avenue • Darien, Illinois 60561 • (630) 910-2207 • Fax (630) 910-2213

Final Inspection

Occupancy Insurance Office Phone 630-824-9270 File # _____

Address 2551 75th Suite # N/A Date 5/15/2015

Underground Flush Fire Pump Hood & Duct Final Fire
 Sprinkler Hydro UST/AGST Fire Alarm Other _____

Sprinkler by hand at @ 9079
Manson - Brian ARMISTRAD
708-774-9029

Inspection has been approved. Inspection has NOT been approved. Call for re-inspection.

Inspector [Signature] Contractor/Agent [Signature]

Print Name JAMES KARAS Title _____

THIS IS NOT A CERTIFICATE OF OCCUPANCY

Copy forwarded to City of Darien Village of Woodridge DuPage County



FIELD INSPECTION REPORT

CITY OF DARIEN

1702 PLAINFIELD ROAD ■ DARIEN, IL 60561

Date: 05/20/15

Permit #: 12897

Address: 2551 W. 75TH ST.

Name: _____

Type of Inspection:

- Footing
- Wall
- Backfill
- Slab
- Drain tile
- Underground (Plumbing/Electric)
- Mechanical Rough
- Electric Service
- Rough Electric
- Rough Plumbing
- Rough Frame
- Insulation
- Sidewalk/Approach
- Stack Test
- Pre-pour Driveway
- Slab-garage/basement
- Final
- Rough Sewer/Water
- Other

Comments:

ELECTRIC FINAL APPROVED

Approved

Not Approved

Needs Re-Inspection

[Signature]
 Inspector's Signature

05/20/15
 Date of Inspection

Re-Inspection Fee Due

Call For Re-Inspection
 (630) 852-5000



FIELD INSPECTION REPORT

CITY OF DARIEN

1702 PLAINFIELD ROAD ■ DARIEN, IL 60561

Date: 5/12/15

Permit #: _____

Address: 2551 75th St

Name: _____

Type of Inspection:

- Footing
- Wall
- Backfill
- Slab
- Drain tile
- Underground (Plumbing/Electric)
- Mechanical Rough
- Electric Service
- Rough Electric
- Rough Plumbing
- Rough Frame
- Insulation
- Sidewalk/Approach
- Stack Test
- Pre-pour Driveway
- Slab-garage/basement
- Final
- Rough Sewer/Water
- Other

Comments:

Rough HVAC - (INSURANCE) IS APPROVED

Approved Not Approved Needs Re-Inspection

Re-Inspection Fee Due

Call For Re-Inspection (630) 852-5000

Jason Nye 5/12/15

Inspectors Signature Date of Inspection

Inspection Scheduling - Darien

Run Date: 01/23/2015 2:43 PM

Don Morris

Inspection Date	Address	Description	Notes
1/26/2015	7813 Nantucket Dr	Plumbing Final	630-724-0128
1/26/2015	8251 Lemont Road	Final Building	Four Corners Church 773-619-9162
1/26/2015	2551 75th Street	Framing	Old Wolf Camera 773-931-5112
			Total Inspections: 3

Joe Algozine

Inspection Date	Address	Description	Notes
1/26/2015	8251 Lemont Road	Electric Final	Four Corners Church 773-619-9162
1/26/2015	2551 75th Street	Electric Rough	Old Wolf Camera 773-931-5112
1/26/2015	7511 Lemont Suite 150	Electric Rough	Old Fashioned Stools 630-514-4774
			Total Inspections: 3

Above Ceiling

*P
PP
P*



FIELD INSPECTION REPORT

CITY OF DARIEN

1702 PLAINFIELD ROAD • DARIEN, IL 60561

Date: 1-26-15 Permit #: _____

Address: 2551 75th St

Name: _____

Type of Inspection:

- | | | |
|---|---|--|
| <input type="checkbox"/> Footing | <input type="checkbox"/> Electric Service | <input type="checkbox"/> Stack Test |
| <input type="checkbox"/> Wall | <input type="checkbox"/> Rough Electric | <input type="checkbox"/> Pre-pour Driveway |
| <input type="checkbox"/> Backfill | <input type="checkbox"/> Rough Plumbing | <input type="checkbox"/> Slab-garage/basemen |
| <input type="checkbox"/> Slab | <input checked="" type="checkbox"/> Rough Frame | <input type="checkbox"/> Final |
| <input type="checkbox"/> Draitile | <input type="checkbox"/> Insulation | <input type="checkbox"/> Rough Sewer/Water |
| <input type="checkbox"/> Underground
(Plumbing/Electric) | <input type="checkbox"/> Sidewalk/Approach | <input type="checkbox"/> Other |
| <input type="checkbox"/> Mechanical Rough | | |

Comments:

Rough Frame - Approved

- | | | |
|--|---------------------------------------|---|
| <input checked="" type="checkbox"/> Approved | <input type="checkbox"/> Not Approved | <input type="checkbox"/> Needs Re-Inspection |
| <u>Mike Taimouteli</u> | <u>1-26-15</u> | <input type="checkbox"/> Re-Inspection Fee Due |
| Inspectors Signature | Date of Inspection | <input type="checkbox"/> Call For Re-Inspection
(630) 852-5000 |



CITY OF DARIEN
BUILDING DEPARTMENT
CERTIFICATE OF OCCUPANCY

BUILDING PERMIT NO. _____ OCCUPANCY PERMIT NO. **18503**

THIS IS TO CERTIFY that the building and/or premises described below have been inspected for compliance with all provisions of the Zoning and Building Ordinances and are approved for the use and/or occupancy of:

Address **2551 75th Street** Lot _____ Block _____

Occupant's name **INNFINITY LOGISTICS**

Occupancy **XX** New Construction _____ Alteration _____ Addition _____

APPROVED BY _____
[Signature]
Director of Community Development

Date Approved _____ September 27, 2022

EXHIBIT

F

exhibits.darien.com

Dr. Steven C. Tharp DDS
Prospective buyer of the property at 2551 75th St., Darien, IL 60561

Formal Request to Preserve Existing Fence @ 2551 75th st

Dear Village of Darien,

I am writing to you today as a concerned potential commercial property owner in Darien regarding a matter that directly affects the surrounding neighborhood's cohesion and well-being. The fence in question has been a part of the commercial property for several years, and I would like to express my formal request for it to be preserved.

There are several reasons why I believe it is crucial for the fence to remain intact:

1. **Boundary and Privacy:** The fence delineates property lines and provides a sense of privacy for both the Commercial property and the surrounding residents. Without it, there could be potential encroachments or disruptions to the peaceful coexistence that is currently enjoyed.
2. **Aesthetic Integration:** The design and placement of the fence was carefully integrated into the overall aesthetic of the neighborhood. Its removal could disrupt the visual cohesion of the community and detract from the charm and character that define the area. When I first viewed the property, I was envisioning a nice, quiet, private space for the office staff to be able to have lunch outdoors. It is a large part of the appeal of this property.
3. **Safety and Security:** Beyond its aesthetic and boundary functions, the fence also serves the practical purpose of security. It helps deter trespassing and provides a barrier against unwanted intrusions, contributing to the safety and well-being of all residents. It is also an undue liability to have the property open to intrusion and possible lawsuits if an injury or accident were to occur upon the proposed unfenced area of the commercial property.
4. **Undue Costs to the business:** The cost of installing a new fence and reworking landscaping can be substantial. Furthermore, the existing fence is in good condition and serves its purpose effectively. As far as I have been informed, it meets the current fencing code of Darien. I do not believe there is a compelling reason to justify its removal, especially when considering the financial implications for all involved.
5. **Community Relations:** Preserving the existing fence would also demonstrate respect for Arvydas Kaminskas and Enrique Rodriguez's wishes to keep the existing fence and

EXHIBIT

G 69

contribute to positive neighborly relations. It is important to consider maintaining a sense of mutual respect with *all* of the community members and prospective new businesses affected by the proposed changes.

In light of these considerations, I urge the village authorities to carefully weigh the implications of any decisions regarding the fate of the fence. I believe that preserving it aligns with the values of the community and will contribute to the continued prosperity and harmony of Darien.

Thank you, and I trust that you will give it the thoughtful consideration it deserves, keeping in mind the best interests of *all* parties involved.

Sincerely,

Steven C. Tharp DDS

A handwritten signature in black ink, appearing to read "Steven C. Tharp", written in a cursive style.

Enrique Rodriguez
7505 S. Main St
Darien, IL 60561

May 27, 2024

Subject: Request to Preserve Existing Fence

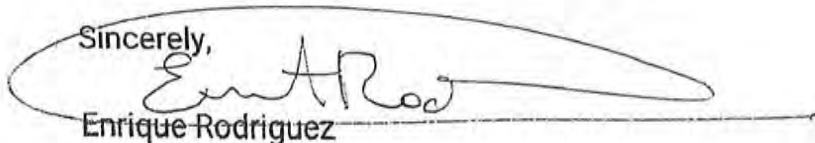
Dear Village Authorities,

I hope this letter finds you well. I am writing to you today as a concerned resident of Darien regarding a matter that directly affects our neighborhood and my back yard. Specifically, I am reaching out to request that the existing fence belonging to the property at 2551 75th street remain in place. It serves as a good boundary to my neighbor to the north.

The fence in question has been a part of our community landscape for several years, and its presence has played a significant role in maintaining the harmony and privacy of our neighborhood. However, I understand that there may be discussions or plans to alter or remove it, and I would like to express my earnest request for it to be preserved as is.

Thank you for your attention to this matter.

Sincerely,



Enrique Rodriguez

EXHIBIT

H

Arvydas & Laimute Kaminskas
7510 Cambridge Rd.
Darien, IL 60561

May 22, 2024

Dear Village of Darien,

I am writing to formally request that the existing fence on my western property line, located at the eastern side 2551 75th Street, be permitted to remain in place. The fence serves several important purposes for me and my family, and we believe it adds value to our property and the surrounding area.

The existing fence gives us privacy, security, and safety for our children and dog. Furthermore, I believe that the fence complies with all relevant local ordinances and regulations, and it does not encroach upon any neighboring properties or public rights-of-way.

I kindly request that the Village Board consider our request favorably and grant permission for the existing fence to remain in its current location. If there are any additional requirements or steps we need to take to facilitate this request, please do not hesitate to inform us.

Thank you for your attention to this matter. I look forward to a positive resolution.

Sincerely,



Arvydas & Laimute Kaminskas



Exhibit I: Select City of Darien Zoning Ordinance Provisions

5A-5-8-3: REQUIRED FENCES:

(A) Business And Office-Industrial Districts:

1. Residential Adjacency: Where a lot in the business or office- industrial district adjoins a lot in a residential district, a fence is required as provided in the applicable zoning district regulations.

5A-2-2-3: VARIATIONS

(H) Revocation Of A Variation:

1. A variation granted by the City Council shall be subject to revocation in the manner provided hereinbelow under any of the following circumstances:

(d) Following the issuance of occupancy permits, abandonment, or other failure to utilize the property for the purposes permitted by the variation for a period of two (2) months out of any consecutive six (6) month period.

(g) Where changed circumstances or experience derived from the exercise of the variation previously granted indicates that the continuation of the variation does not carry out the goals of this title. Provided, however, that any variation so withdrawn may continue to exist until abated under the provisions of chapter 4 of this title.

2. Upon written application by any person, the Zoning Board of Appeals, Plan Commission, or the City Council, following the happening of any of the conditions specified in subsection (H)1 of this Section, the Zoning Board of Appeals, or, in instances where companion variations were granted, the Plan Commission shall hold a public hearing with regard to whether any of the conditions described in subsection (H)1 of this Section exist and whether on account of such conditions and other circumstances the variation shall be revoked. Public notice of such hearing shall be given by newspaper publication and the legal owner of record of the subject property shall be notified by certified mail, return receipt requested. The hearing shall otherwise be conducted in accordance with the procedures required by statute and by Section 5A-2-3 of this Chapter.

3. Following such hearing, the Board or Plan Commission shall prepare written findings of fact and its recommendations regarding the continuation or revocation of the variation. Such findings and recommendations shall be



transmitted forthwith to the Planning and Development Committee for a recommendation and then to the City Council for final action. The City Council, after receiving such findings and recommendations, or after the time period to file such recommendations has elapsed, may either continue or revoke the variation. (Ord. 0-03-00, 4-3-2000)

5A-1-2: PURPOSE AND INTENT:

(A) This Zoning Title is adopted for the purpose of improving and protecting the public health, safety, comfort, convenience, and general welfare of the people. The fulfillment of this purpose is to be accomplished by seeking the following objectives:

6. To zone all properties with a view to conserving the value of buildings and encouraging the most appropriate use of land throughout the City.

11. To foster a more rational pattern of relationship between residential, business, commercial, and manufacturing uses for the mutual benefit of all.

15. To enhance aesthetic values throughout the City.



PLAT OF SURVEY

THIS PLAT OF SURVEY WAS PREPARED BY THE SURVEYOR OF THE COUNTY OF ...



75TH STREET

MAIN STREET



DMA
1000 ...
...

...

...

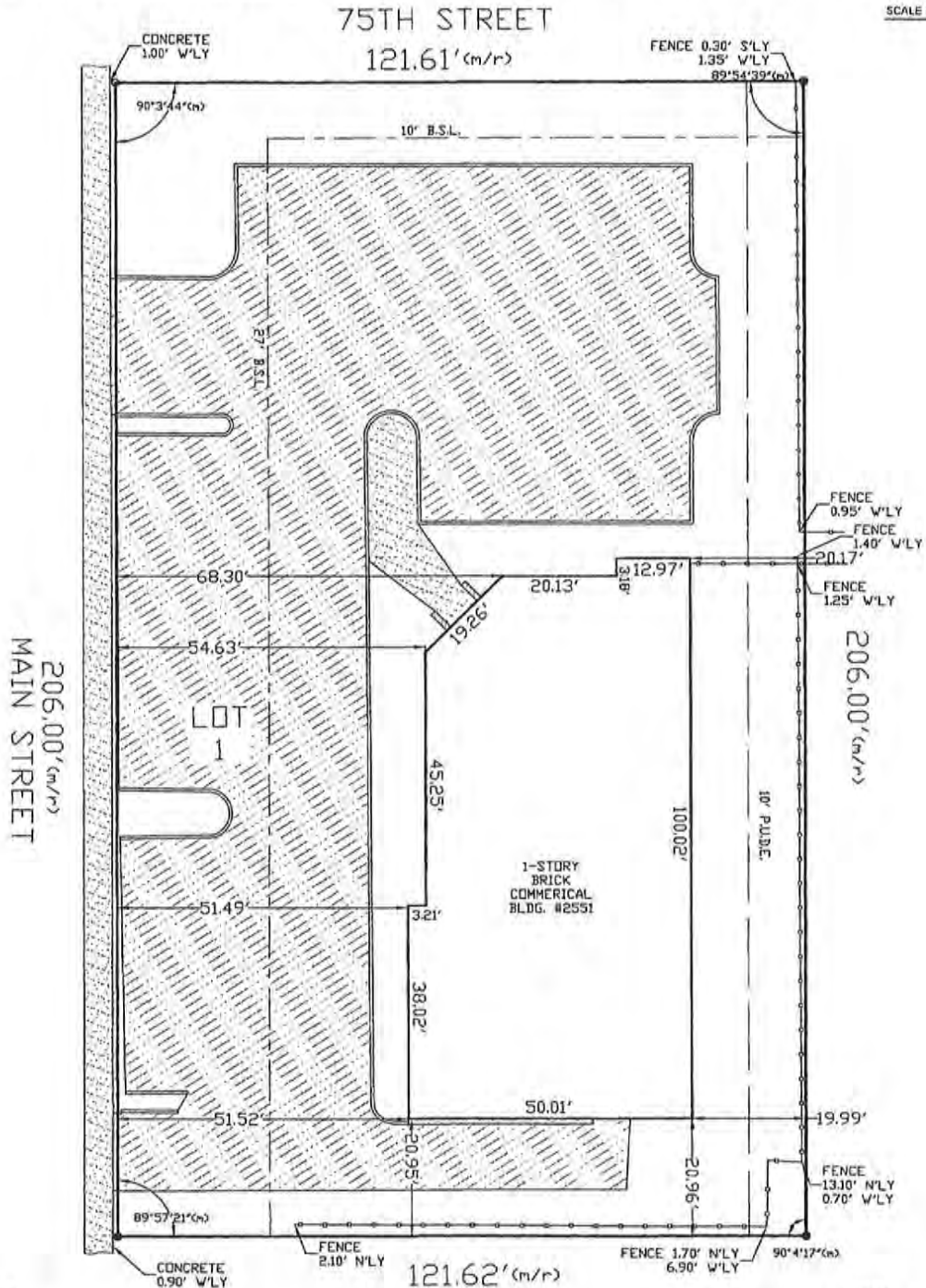
Associated Surveying Group, LLC

Illinois Prof. Design Firm No. 184-004973
 P.O. Box 810 Bolingbrook, IL 60440
 PH: 630-759-0205 FAX: 630-759-9291

PLAT OF SURVEY

LOT 1 IN SHARON ESTATES, BEING A SUBDIVISION OF TRACT "A" OF DOWNERS GROVE TOWNSHIP SUPERVISORS ASSESSMENT PLAT NUMBER 2, OF THE NORTH 1050.0 FEET OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 29, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT OF SAID SHARON ESTATES RECORDED MARCH 6, 1957 AS DOCUMENT 834504, IN DUPAGE COUNTY, ILLINOIS.

SCALE 1" = 20'



State of Illinois }
 County of Will } SS

I, Michael G. Herwy, an Illinois Professional Land Surveyor, do hereby certify that "This professional service conforms to the current Illinois minimum standards for a boundary survey", and that the Plat hereon drawn is a correct representation of said survey.

Dated, this 6TH day of JUNE, A.D., 2024,
 at Bolingbrook, Illinois.

FIELDWORK DATE: JUNE 4, 2024

Michael G. Herwy
 Illinois Professional Land Surveyor No. 35-002900
 License Expires: November 30, 2024

CLIENT: DIRLEVSKI PROPERTIES, LLC

JOB NO.: 90026-24

NOTES:

1. COMPARE THE LEGAL DESCRIPTION ON THIS PLAT WITH YOUR DEED, ABSTRACT, OR CERTIFICATE OF TITLE. ALSO, COMPARE ALL FIELD MEASURED LOT CORNERS & BUILDING TIES WITH THIS PLAT BEFORE CONSTRUCTION AND REPORT ANY DIFFERENCE AT ONCE. 2. NO IMPROVEMENTS SHOULD BE CONSTRUCTED ON THE BASIS OF THIS PLAT AT ONE. FIELD MONUMENTATION OF CRITICAL POINTS SHOULD BE ESTABLISHED PRIOR TO COMMENCEMENT OF CONSTRUCTION. 3. BUILDING LINES AND EASEMENTS ARE SHOWN ONLY WHERE THEY ARE SO DEPICTED ON THE RECORDED SUBDIVISION PLAT. REFER TO YOUR DEED, ABSTRACT, OR CERTIFICATE OF TITLE FOR ADDITIONAL ENCUMBRANCES. 4. ALL DISTANCES ARE SHOWN IN FEET AND DECIMALS THEREOF. MEASURED LOT DIMENSIONS ARE SHOWN ONLY WHEN THEY DIFFER FROM RECORD DIMENSIONS BY 0.11 FEET OR MORE. 5. AREA IS BASED ON MEASURED DISTANCES AT TIME OF SURVEY. 6. CURVED LINES DENOTED WITH ARC LENGTHS UNLESS OTHERWISE NOTED. ALSO, ALL ARCS ARE TANGENT UNLESS OTHERWISE NOTED.

LEGEND:

BRICK	ASPHALT	ADJACENT BLDG
WALL	CONCRETE	GRAVEL
WOOD/PVC	ENCLOSED COVERED	STONE

SET:

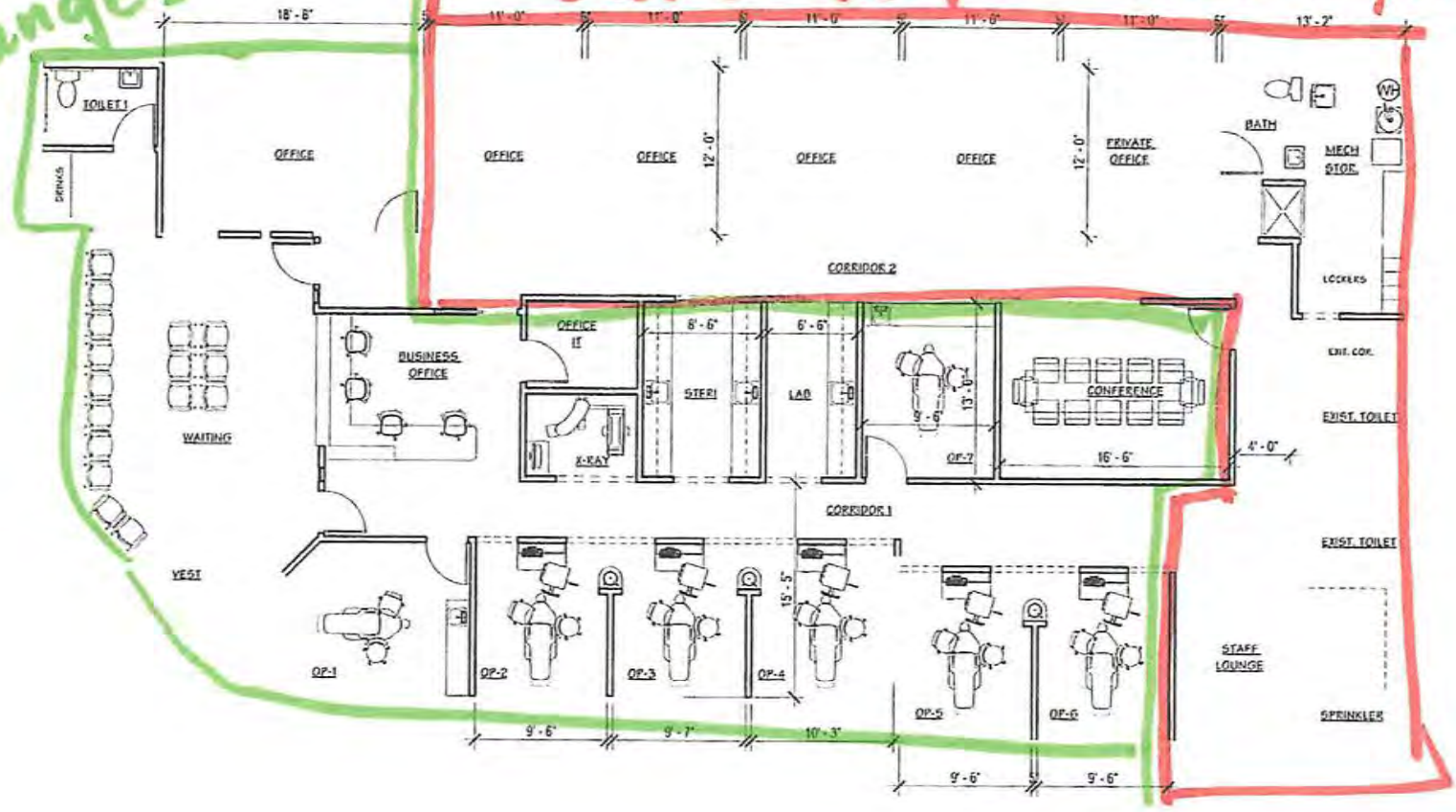
IRON PIPE	CROSS	UTILITY POLE
CHAIN LINK FENCE	NOTCH	CATCH BASIN
MAG MAIL	PINE NAILS AS NOTCH	
WOOD FENCE	ALL OTHER FENCE TYPES	

ABBREVIATIONS:

A = ARC LENGTH	NLY = NORTHERLY
R = RADIUS	SLY = SOUTHERLY
CH = CHORD LENGTH	Ely = EASTERLY
(R) = RECORD VALUE	WLY = WESTERLY
(M) = MEASURED VALUE	Typ = TYPICAL
D.S.L. = BUILDING SETBACK LINE CH = CORNERING	
P.U.E. = PUBLIC UTILITY EASEMENT	
P.U.D.E. = PUBLIC UTILITY & DRAINAGE EASEMENT	
V.E.C.E. = VILLAGE/CITY EASEMENT	

Proposed Changes

Out of Scope - No Changes Planned



5A-8-2: B-1 NEIGHBORHOOD CONVENIENCE SHOPPING DISTRICT:**5A-8-2-1: INTENT:**

The B-1 Neighborhood Convenience Shopping District is intended to provide convenience shopping for persons residing in adjacent residential areas, and to permit such uses as are necessary to satisfy those basic shopping needs which occur daily or frequently and so require shopping facilities in, relative proximity to places of residence.

No B-1 District shall be established by any new regulation unless the proposed new district area, by itself or in conjunction with any contiguous territory which either lies within the City and is already zoned B-1 or which lies within an adjacent municipality and is in a similar zoning classification, is at least forty thousand (40,000) square feet. (Ord. 0-03-00, 4-3-2000)

5A-8-2-2: SITE PLAN APPROVAL:

To ensure that the details of development of commercial areas for authorized uses will be such that the operation of the use will not offend the public interest, will be compatible and be planned in conformity with surrounding uses and will not adversely affect the flow of traffic within the community, a site plan shall be submitted. Refer to the approval process and submittal requirements as outlined in Chapter 2 of this Title. (Ord. 0-03-00, 4-3-2000)

5A-8-2-3: PERMITTED USES:

No building, structure, or land shall be used and no building or structure shall be erected, altered, or enlarged which is arranged, intended or designed for other than one of the following uses:

- (A) Bakeries.
- (B) Barbershops.
- (C) Beauty shops.
- (D) Candy and ice cream stores.
- (E) Drugstores.
- (F) Dry-cleaning establishments, not including industrial dry- cleaning plants.
- (G) Employment agencies.
- (H) Equipment rental stores.
- (I) Florist shops.
- (J) Food stores, grocery stores, meat markets and delicatessens.
- (K) Gift shops.
- (L) Hardware stores.
- (M) Nursery schools, preschools and daycare centers.
- (N) Offices, business or professional.
- (O) Package liquor stores.
- (P) Shoe and clothing repair stores.
- (Q) Wearing apparel shops.
- (R) Variety stores. (Ord. 0-03-00, 4-3-2000)

5A-8-2-4: SPECIAL USES:

The following special uses may be permitted in specific situations in accordance with the procedures outlined in Section 5A-2-2-6 of this Title, as appropriate:

- (A) Banks and financial institutions.
- (B) Civic buildings and governmental uses.
- (C) Drive-in and drive-through establishments.
- (D) Eating establishments, not including entertainment or dancing.
- (E) Planned unit developments in accordance with the provisions of Chapter 3 of this Title.
- (F) Public and private utility facilities.
- (G) Swimming, tennis, racquet and other athletic club facilities.
- (H) Undertaking establishments. (Ord. 0-03-00, 4-3-2000)

5A-8-2-5: AREA REQUIREMENTS:

The minimum lot area in the B-1 District shall be forty thousand (40,000) square feet. (Ord. 0-03-00, 4-3-2000)

5A-8-2-6: WIDTH AND DEPTH REQUIREMENTS:

There are no minimum width or depth requirements in the B-1 District. (Ord. 0-03-00, 4-3-2000)

5A-8-2-7: YARD REQUIREMENTS:

The minimum yards required in the B-1 District shall be as follows:

(A) Front And Corner Side Yards:

1. Abutting Or Adjoining Any District:

(a) Yard Depth: There shall be a required front and corner side yard of not less than fifty feet (50') in depth.

(b) Off-Street Parking Facilities Setback: Off-street parking facilities are not allowed within the first thirty feet (30') of the required front or corner side yard.

(B) Interior Side And Rear Yards:

1. Abutting Or Adjoining A Nonresidential District:

(a) Yard Depth: There shall be a required interior side and rear yard of not less than twenty five feet (25') in depth.

(b) Off-Street Parking Facilities Setback: Off-street parking facilities within an interior side or rear yard are not allowed within the first twenty feet (20') of the required yard provided.

2. Abutting Or Adjoining A Residential District:

(a) Yard Depth: There shall be a required interior side and rear yard of not less than thirty five feet (35') in depth.

(b) Off-Street Parking Facilities Setback: Off-street parking facilities within an interior side or rear yard shall not be closer than thirty feet (30') from an adjoining lot in a residential district.

(c) Required Fence: Where a rear or interior side lot line in the B-1 District coincides with an interior side or rear lot line in an adjoining residential district, a fence of at least seventy five percent (75%) opacity shall be provided within the yard. The height of such fence shall be six feet (6').

(C) Accessory Structures: Accessory structures shall comply with yard and setback requirements as prescribed in Section 5A-5-9 of this Title.

(D) Permitted Obstructions In Required Yard: Permitted obstructions in required yards are allowed as described herein and as prescribed in Section 5A-5-7-3 of this Title and Chapter 11 of this Title including:

1. Drives And Off-Street Parking Facilities: Required yards may be occupied by drives and off-street parking facilities when constructed in accordance with the setback requirements of this District and in compliance with Section 5A-5-7-3 of this Title and Chapter 11 of this Title.

2. Joint Parking: In the case of joint parking facilities, parking may occur in the required yard without regard to the side lot line at the point of the combination of the parcels, and in compliance with subsections 5A-11-2-1(B) and (C) of this Title. (Ord. 0-03-00, 4-3-2000)

5A-8-2-8: HEIGHT LIMITATIONS, BULK REGULATIONS:

The maximum floor area ratio for all buildings and structures in the B-1 District shall be 0.5 and the maximum height shall be two (2) stories not to exceed thirty feet (30'). Not more than fifty percent (50%) of the net site area shall be covered by principal buildings and structures, and not more than seventy five percent (75%) of the net site area shall be covered by principal and accessory buildings and structures, and paved or impervious areas. (Ord. 0-03-00, 4-3-2000)

5A-8-2-9: COMPLIANCE WITH THIS TITLE AND OTHER APPLICABLE TITLES OF THIS CODE REQUIRED:

Properties located in this District shall comply with all applicable regulations of this Title as well as all other applicable regulations with this Code. At a minimum, the following regulations must be adhered to:

(A) Landscape Requirements: All business establishments shall comply with the landscaping requirements of Chapter 10 of this Title.

(B) Off-Street Parking And Loading Requirements: All business establishments shall comply with the off-street parking and loading requirements of Chapter 11 of this Title.

(C) Final Engineering: Provisions for storm water management and engineering must be made in compliance with applicable codes.

(D) Performance Standards: Processes and equipment employed within business districts shall be limited to those which comply with the performance standards of Chapter 12 of this Title.

(E) Sign Regulations: The signs on the property shall comply with the Darien sign code (Title 4, Chapter 3 of this Code). (Ord. 0-03-00, 4-3-2000)

The screenshot displays the Parcel Viewer interface. The main map area shows an aerial view with red parcel boundaries. A search bar at the top left contains the address "2551 75th St, Darien, IL, 60" and a search icon. Below the search bar, it says "Show search results for 2551 7...". The map shows streets including 75th St, Main St, Webster St, Cambridge Rd, Abbey Dr, and Wakefield Dr. A search results panel is open on the right side, displaying the following information:

Parcel Search			
Searches	Shapes	Buffer	Results
f:H::+i0Hi%0/i..Mif f:imN			
PIN	0929301001		
OWNER	DIRIEVSKI I I C		
PROPERTY STREET NUMBER			
PROPERTY STREET DIRECTION			
PROPERTY STREET NAME	2551 75TH ST		
PROPERTY APARTMENT			
PROPERTY CITY	DARIEN		
STATE	IL		
PROPERTY ZIPCODE	60561		
PROP_CLASS	C		
FCVLAND	91,120		
FCVIMP	162,860		
FCVTOTAL	253,980		
LEGAL DESCRIPTION 1	SHARON ESTATES A SUB OF		
LEGAL CCDE 1	000000000		
PROPERTY ADDRESS	2551 75TH ST		
TOWN STATE ZIP	ntd?I N 6 An,A1..d'101		

At the bottom of the search results panel, it shows "1 - 1 of 1 results" and a scale of "120 VI.". There are also checkboxes for "DRRM 2019" (checked) and "Subdivision" (unchecked). The bottom of the map shows coordinates "41.752182 -88.012966 Degrees" and "Community Maps Contributors, County of DuPage".







Attachment 7A
Supplemental Photographs



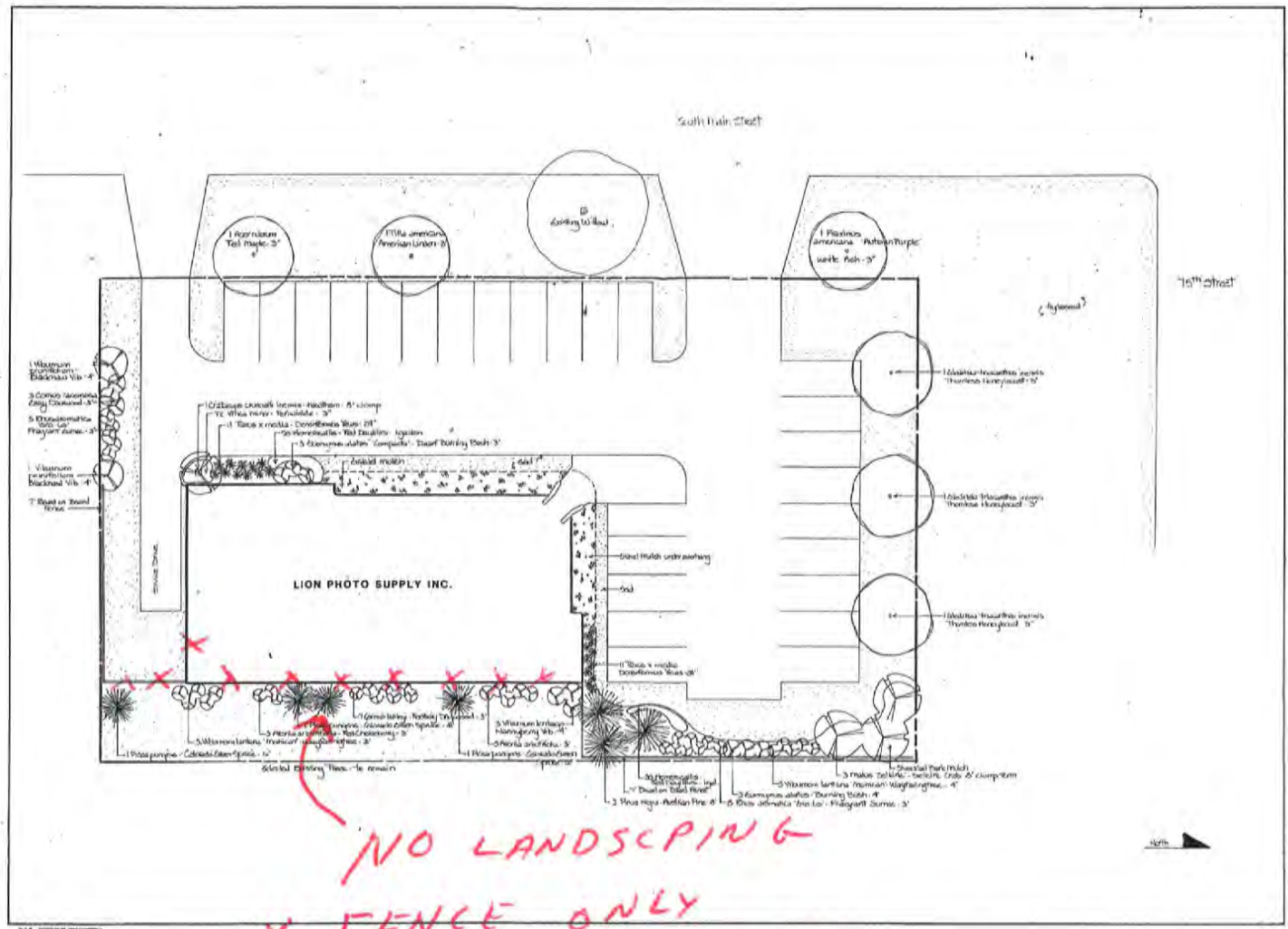
Attachment 7A
Supplemental Photographs



Attachment 7A
Supplemental Photographs



*LANDSCAPE / FENCE
SITE PLAN*



REVISED BY	DATE

LANDSCAPE PLAN
 LION PHOTO SUPPLY INC.
 110 N. HICKORY ROAD
 LAKE FOREST, ILLINOIS
 WWW.LIONPHOTO.COM
 LANDSCAPE ARCHITECT

DATE: 10-07
 TIME: 1:00 PM
 DRAWN: RWB
 SCALE: 1" = 10'-0"



ZONING APPLICATION

CITY OF DARIEN
1702 Plainfield Road, Darien, IL 60561
www.darienil.us 630-852-5000

CONTACT INFORMATION

Steven C Tharp, DDS

Tome Dirlevski

Applicant's Name

Owner's Name

10 S. 267 Kaye Lane Willowbrook, IL 60527

7517 S. Main St Darien, IL 6056

Address, City, State, Zip Code

Address, City, State, Zip Code

815-712-6521

312-752-8663

Telephone

Telephone

drsteventharp@gmail.com

DIRLEVSKI@GMAIL.COM

Email

Email

PROPERTY INFORMATION

2551 75th St. Darien, IL 60561

0929301001

Property address

PIN Number(s)

B-1

Office Space

Zoning District

Current Land Use(s)

(Attach additional information per the Submittal Checklist.)

RECEIVED

APR 24 2024

Community Development
City of Darien

REQUEST

Brief description of the zoning approval requested. (Contact the City Planner for guidance.)

see letter attached

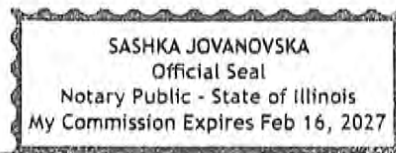
Applicant Signature

As Notary Public, in and for DuPage County in Illinois, I do hereby certify that Steven Tharp is personally known by me to be the same person whose name is subscribed above and has appeared before me this day in person and acknowledged that they have signed this document as their own free and voluntary act, for the purposes therein set forth.

Given under my hand and seal this 24 day of April 2024

Notary Public

For office use only	
Date Received:	04/24/2024
Case Number:	PZC2024-05
Fee Paid:	\$925.00
Hearing Date:	05/15/2024



My name is Steven Tharp, and I am not only a dentist but also a devoted husband and father of two. With 14 years of experience in dentistry, I take pride in delivering exceptional dental care. I am writing to express my keen interest in establishing a family-owned dental office in Darien. Doing so would not only allow me to serve our community but also afford me the flexibility to be close to my children's school events, which is a priority for me.

Our vision is to create a welcoming and nurturing environment where families can receive top-notch dental care. The plan entails constructing a six-chair office, typically capable of accommodating two dentists and one hygienist. This new facility will boast a modern and attractive design, equipped with state-of-the-art technology like Cone Beam Computed Tomography (CBCT) scan and intraoral scanner. These advancements, available in fewer than 30% of general dentists' offices, significantly enhance patient comfort and precision of treatment compared to traditional setups.

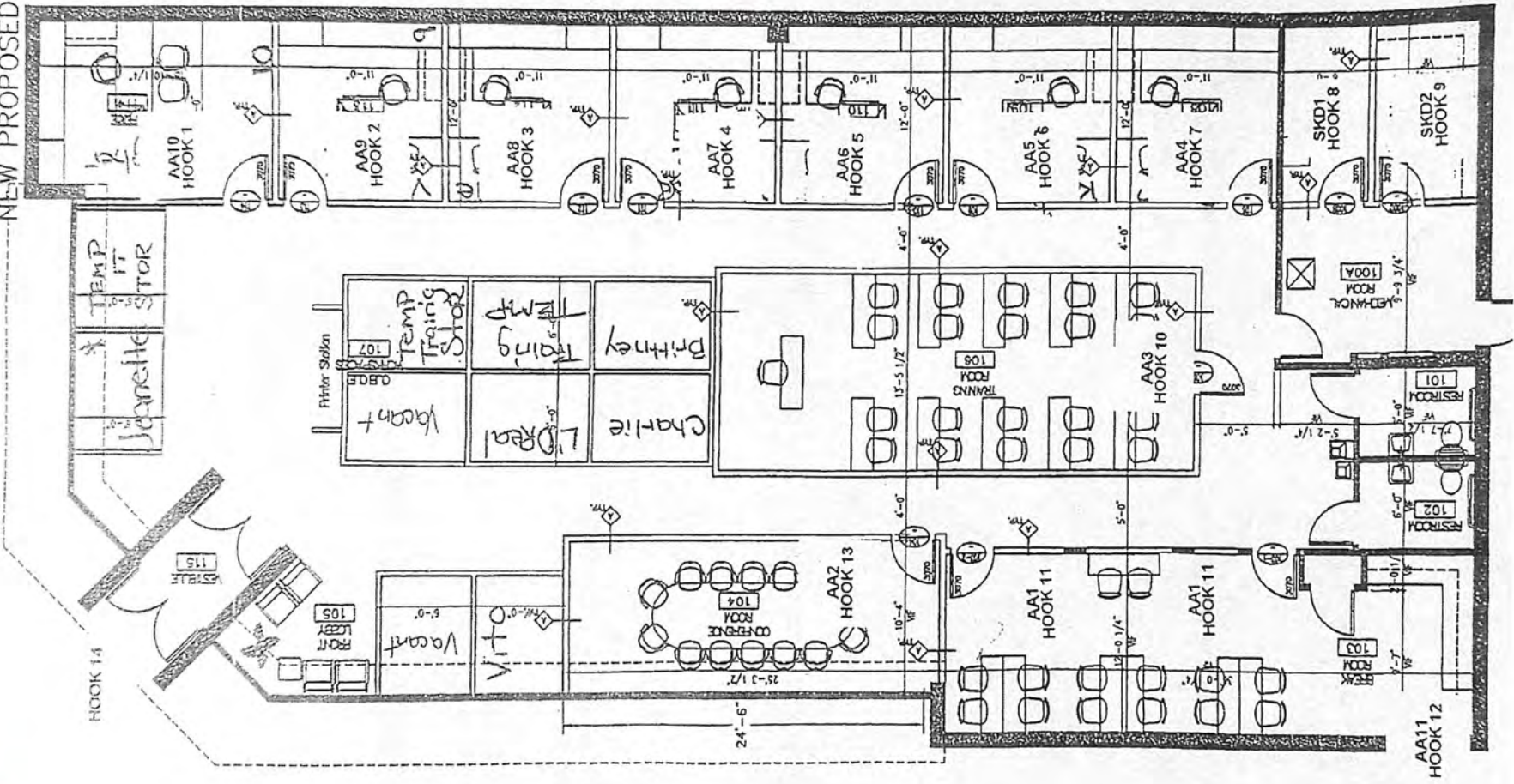
To realize this vision, we are seeking the support of the community in obtaining a text amendment and special use permit. This permit will not alter the essential character of the locality. It will not cause a substantial difficulty, undue hardship, unreasonable burden, or loss of value to the neighboring properties. In fact, the planned minor exterior refresh of the building may increase neighboring property values. Overall it will be a net benefit to the community as quality dental care is always needed. The special use permit is essential for ensuring that our dental office operates in compliance with local regulations and zoning laws.

Thank you for considering our proposal. We eagerly anticipate the opportunity to serve our community and contribute to its health and vibrancy for years to come.

Steven C Tharp, DDS

Existing

4545 SF
NEW PROPOSED

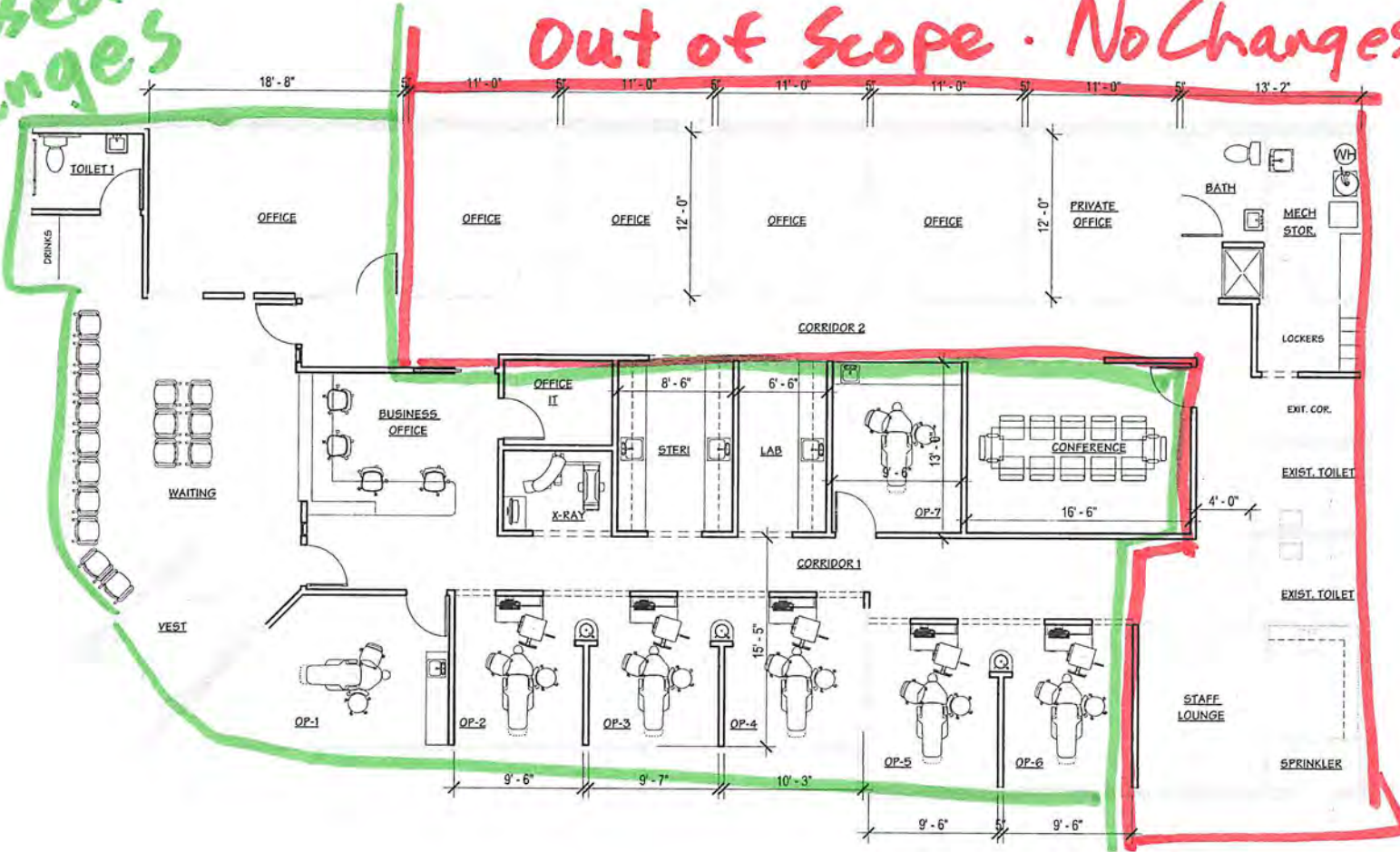


HOOK 17
DISPENSERS

HOOK 16
ALARM PANEL

Proposed
Changes

Out of Scope - No Changes Planned



5A-8-2: B-1 NEIGHBORHOOD CONVENIENCE SHOPPING DISTRICT:**5A-8-2-1: INTENT:**

The B-1 Neighborhood Convenience Shopping District is intended to provide convenience shopping for persons residing in adjacent residential areas, and to permit such uses as are necessary to satisfy those basic shopping needs which occur daily or frequently and so require shopping facilities in, relative proximity to places of residence.

No B-1 District shall be established by any new regulation unless the proposed new district area, by itself or in conjunction with any contiguous territory which either lies within the City and is already zoned B-1 or which lies within an adjacent municipality and is in a similar zoning classification, is at least forty thousand (40,000) square feet. (Ord. 0-03-00, 4-3-2000)

5A-8-2-2: SITE PLAN APPROVAL:

To ensure that the details of development of commercial areas for authorized uses will be such that the operation of the use will not offend the public interest, will be compatible and be planned in conformity with surrounding uses and will not adversely affect the flow of traffic within the community, a site plan shall be submitted. Refer to the approval process and submittal requirements as outlined in Chapter 2 of this Title. (Ord. 0-03-00, 4-3-2000)

5A-8-2-3: PERMITTED USES:

No building, structure, or land shall be used and no building or structure shall be erected, altered, or enlarged which is arranged, intended or designed for other than one of the following uses:

- (A) Bakeries.
- (B) Barbershops.
- (C) Beauty shops.
- (D) Candy and ice cream stores.
- (E) Drugstores.
- (F) Dry-cleaning establishments, not including industrial dry- cleaning plants.
- (G) Employment agencies.
- (H) Equipment rental stores.
- (I) Florist shops.
- (J) Food stores, grocery stores, meat markets and delicatessens.
- (K) Gift shops.
- (L) Hardware stores.
- (M) Nursery schools, preschools and daycare centers.
- (N) Offices, business or professional.
- (O) Package liquor stores.
- (P) Shoe and clothing repair stores.
- (Q) Wearing apparel shops.
- (R) Variety stores. (Ord. 0-03-00, 4-3-2000)

5A-8-2-4: SPECIAL USES:

The following special uses may be permitted in specific situations in accordance with the procedures outlined in Section 5A-2-2-6 of this Title, as appropriate:

- (A) Banks and financial institutions.
- (B) Civic buildings and governmental uses.
- (C) Drive-in and drive-through establishments.
- (D) Eating establishments, not including entertainment or dancing.
- (E) Planned unit developments in accordance with the provisions of Chapter 3 of this Title.
- (F) Public and private utility facilities.
- (G) Swimming, tennis, racquet and other athletic club facilities.
- (H) Undertaking establishments. (Ord. 0-03-00, 4-3-2000)

5A-8-2-5: AREA REQUIREMENTS:

The minimum lot area in the B-1 District shall be forty thousand (40,000) square feet. (Ord. 0-03-00, 4-3-2000)

5A-8-2-6: WIDTH AND DEPTH REQUIREMENTS:

There are no minimum width or depth requirements in the B-1 District. (Ord. 0-03-00, 4-3-2000)

5A-8-2-7: YARD REQUIREMENTS:

The minimum yards required in the B-1 District shall be as follows:

(A) Front And Corner Side Yards:

1. Abutting Or Adjoining Any District:

(a) Yard Depth: There shall be a required front and corner side yard of not less than fifty feet (50') in depth.

(b) Off-Street Parking Facilities Setback: Off-street parking facilities are not allowed within the first thirty feet (30') of the required front or corner side yard.

(B) Interior Side And Rear Yards:

1. Abutting Or Adjoining A Nonresidential District:

(a) Yard Depth: There shall be a required interior side and rear yard of not less than twenty five feet (25') in depth.

(b) Off-Street Parking Facilities Setback: Off-street parking facilities within an interior side or rear yard are not allowed within the first twenty feet (20') of the required yard provided.

2. Abutting Or Adjoining A Residential District:

(a) Yard Depth: There shall be a required interior side and rear yard of not less than thirty five feet (35') in depth.

(b) Off-Street Parking Facilities Setback: Off-street parking facilities within an interior side or rear yard shall not be closer than thirty feet (30') from an adjoining lot in a residential district.

(c) Required Fence: Where a rear or interior side lot line in the B-1 District coincides with an interior side or rear lot line in an adjoining residential district, a fence of at least seventy five percent (75%) opacity shall be provided within the yard. The height of such fence shall be six feet (6').

(C) Accessory Structures: Accessory structures shall comply with yard and setback requirements as prescribed in Section 5A-5-9 of this Title.

(D) Permitted Obstructions In Required Yard: Permitted obstructions in required yards are allowed as described herein and as prescribed in Section 5A-5-7-3 of this Title and Chapter 11 of this Title including:

1. Drives And Off-Street Parking Facilities: Required yards may be occupied by drives and off-street parking facilities when constructed in accordance with the setback requirements of this District and in compliance with Section 5A-5-7-3 of this Title and Chapter 11 of this Title.

2. Joint Parking: In the case of joint parking facilities, parking may occur in the required yard without regard to the side lot line at the point of the combination of the parcels, and in compliance with subsections 5A-11-2-1(B) and (C) of this Title. (Ord. 0-03-00, 4-3-2000)

5A-8-2-8: HEIGHT LIMITATIONS, BULK REGULATIONS:

The maximum floor area ratio for all buildings and structures in the B-1 District shall be 0.5 and the maximum height shall be two (2) stories not to exceed thirty feet (30'). Not more than fifty percent (50%) of the net site area shall be covered by principal buildings and structures, and not more than seventy five percent (75%) of the net site area shall be covered by principal and accessory buildings and structures, and paved or impervious areas. (Ord. 0-03-00, 4-3-2000)

5A-8-2-9: COMPLIANCE WITH THIS TITLE AND OTHER APPLICABLE TITLES OF THIS CODE REQUIRED:

Properties located in this District shall comply with all applicable regulations of this Title as well as all other applicable regulations with this Code. At a minimum, the following regulations must be adhered to:

(A) Landscape Requirements: All business establishments shall comply with the landscaping requirements of Chapter 10 of this Title.

(B) Off-Street Parking And Loading Requirements: All business establishments shall comply with the off-street parking and loading requirements of Chapter 11 of this Title.

(C) Final Engineering: Provisions for storm water management and engineering must be made in compliance with applicable codes.

(D) Performance Standards: Processes and equipment employed within business districts shall be limited to those which comply with the performance standards of Chapter 12 of this Title.

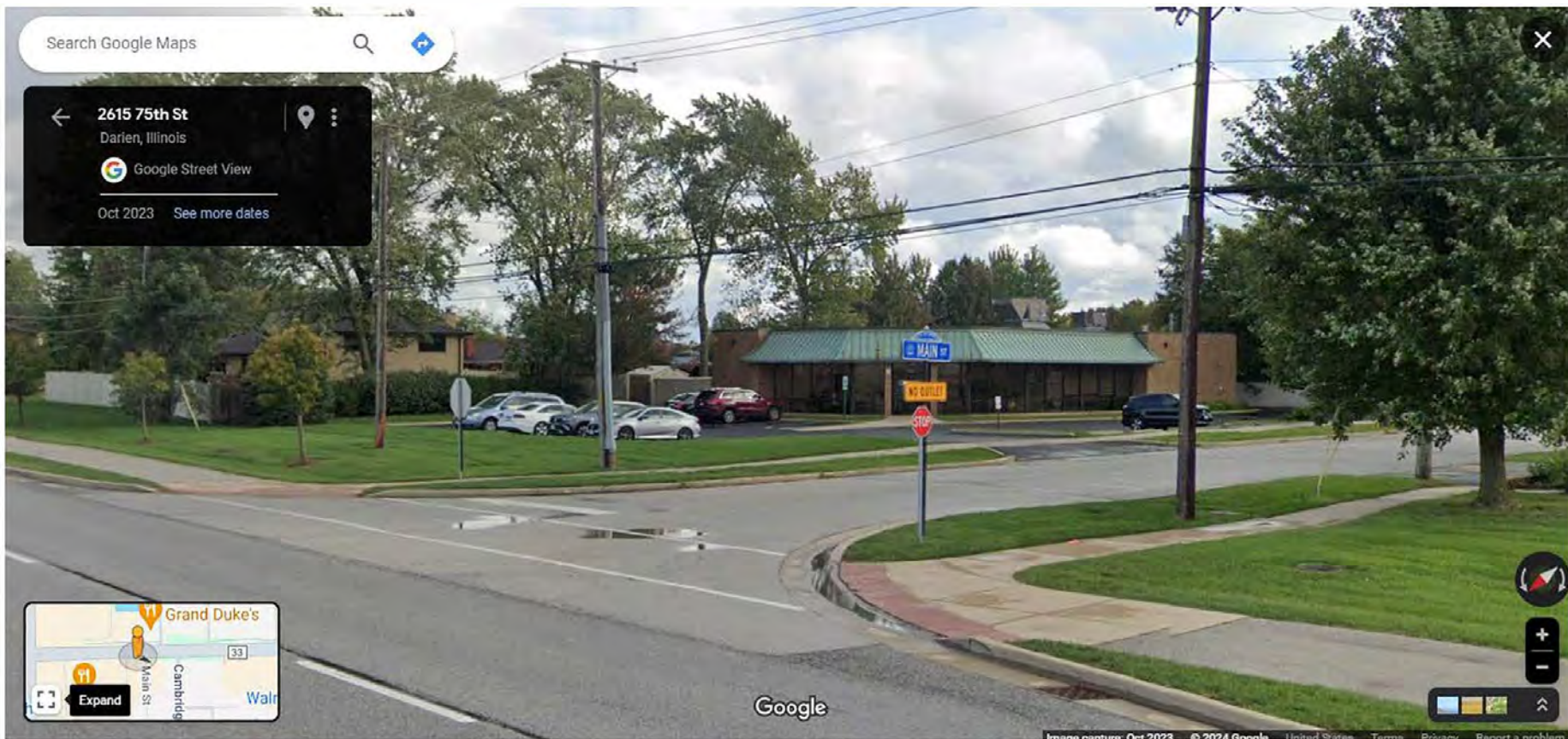
(E) Sign Regulations: The signs on the property shall comply with the Darien sign code (Title 4, Chapter 3 of this Code). (Ord. 0-03-00, 4-3-2000)

The screenshot displays a web-based parcel viewer interface. At the top left, the title "Parcel Viewer" is visible. A search bar contains the address "2551 75th St, Darien, IL, 60" and a search icon. Below the search bar, a dropdown menu shows "Show search results for 2551 7...". The main map area shows an aerial view of a residential neighborhood with red outlines indicating parcel boundaries. A specific parcel at the intersection of Main St and 75th St is highlighted with a blue border. A "Parcel Search" popup window is open on the right side of the map, displaying the following information:

Searches	Shapes	Buffer	Results
Parcel Search			
PIN	0929301001		
OWNER	DIRIEVSKI I I C		
PROPERTY STREET NUMBER	2551 75TH ST		
PROPERTY STREET DIRECTION			
PROPERTY STREET NAME	2551 75TH ST		
PROPERTY APARTMENT			
PROPERTY CITY	DARIEN		
STATE	IL		
PROPERTY ZIPCODE	60561		
PROP_CLASS	C		
FCVLAND	91,120		
FCVIMP	162,860		
FCVTOTAL	253,980		
LEGAL DESCRIPTION 1	SHARON ESTATES A SUB OF		
LEGAL CODE 1	000000000		
PROPERTY ADDRESS	2551 75TH ST		
TOWN STATE ZIP	ntd?l N i An,A1..d'l01		

At the bottom of the popup, it shows "1 - 1 of 1 results" and navigation controls. Below the popup, there are checkboxes for "DFIRM 2019" (checked) and "Subdivision" (unchecked). The bottom of the map shows a scale bar for 300ft and coordinates: 41.752182 -88.012966 Degrees. The footer text reads "Community Maps Contributors, County of DuPage".







AGENDA MEMO
PLANNING AND ZONING COMMISSION
AUGUST 7, 2024

CASE

PZC2024-07

Amendment to Planned Unit Development, Final Plat of
 Subdivision, and Variations
 True North Investments – 8245, 8251, and 8255 Lemont Road

ISSUE STATEMENT

Petition from True North Investments for an Amendment to the Rockwell Planned Unit Development (PUD) to allow the subdivision of a parcel into two lots and variations for the reduction of yard areas and setbacks. The Property is located within the Office Research and Light Industry District (OR-I).

GENERAL INFORMATION

Petitioner:	8245 Lemont Road, LLC
Property Owner:	True North Investments, LLC c/o Carl Manofsky
Property Location:	8245, 8251, 8255 Lemont Road
PIN Number:	09-32-106-030
Existing Zoning:	Office Research and Light Industry (OR-I)
Existing Land Use:	Commercial Uses
Comprehensive Plan:	N/A
Surrounding Zoning & Uses	
North:	Safeguard Self Storage Facility (OR-I)
East:	Wetlands (OR-I)
South:	83 rd Street/Plainfield Road and Speedway Gas Station (B-3)
West:	Lemont Road and City Boundaries
Size of Property:	12.38 Acres
Floodplain:	N/A
Natural Features:	N/A
Transportation:	The petition site gains access from Lemont Road via one ingress/egress point.

PETITIONER DOCUMENTS (ATTACHED TO MEMO)

- 1) **APPLICATION**
- 2) **JUSTIFICATION NARRATIVE**
- 3) **SITE PLAN WITH VARIATION TABLE**
- 4) **ROCKWELL EXISTING AND PROPOSED PLANS CIVIL ENGINEERING**
- 5) **FINAL PLAT OF SUBDIVISION**

CITY STAFF DOCUMENTS (ATTACHED TO MEMO)

- 6) **ROCKWELL PLANNED UNIT DEVELOPMENT ORDINANCE**
- 7) **LOCATION MAP & AERIAL IMAGE**
- 8) **SITE PHOTOS**
- 9) **CITY ENGINEER COMMENTS 07/11/24 IN COMPLIANCE LETTER**

PLANNING OVERVIEW/DISCUSSION

The subject property is a light industrial center and located on the northeast corner of Lemont Road and 83rd Street. The petition site totals 12.38 acres in size and is zoned Office Research and Light Industry District (OR-I). It is within the Rockwell PUD and contains three light industrial buildings with multiple businesses including Marketing Card Technology (MCT) and The Perfect Swing.

The petitioner has requested an Amendment to the Rockwell Planned Unit Development (PUD) to allow the subdivision of a parcel into two lots and variations for the reduction of yard areas and setbacks. No physical changes to the buildings or land are proposed under this application. Another parcel classified as Lot 3 is part of the subject property and contains two (2) ponds but is not part of this application.

Under Section 5B-1-5(A) of the Darien Subdivision Code, a land is subdivided into not more than two lots does not require a Preliminary Plat and the petitioner may proceed with a Final Plat submittal to the Planning Commission. The proposed subdivision would create two lots – Lot 1 of five (5) acres and Lot 2 of 7.3 acres. Lot 1 would contain the existing one-story building of 81,247 square feet and 95 on-site parking spaces whereas Lot 2 would contain a one-story building of 72,668 square feet, a two-story building of 16,095 square feet, and 284 on-site parking spaces.

The petitioner has proposed a subdivision for the purpose of new lot line configuration within the center and intends to sell Lot 1 in the future. This proposed lot line would run in between two buildings, requiring variations for the reduction of the yard areas and setbacks. Below is a list of variations requested by the petitioner as part of the entitlement application with applicable reference code sections:

- Zoning Section 5A-3-3-9
Yards and Spaces Between Buildings:
 - (A) *The required yards or setbacks within the interior of the planned unit development, but not along the periphery of the planned unit development, may be modified within the ordinance granting the planned unit development. The required yards or setback as aforesaid may receive modifications of up to fifty percent (50%) of the standards set forth in the underlying zoning districts and may be used for parking or other purposes.*
 - (B) *Buildings of more than twenty four feet (24') in height shall provide a setback from any property line of not less than equal to the height of such buildings.*
 - (C) *No minimum horizontal distance between buildings is established; provided, however, that good planning standards are followed and that there is sufficient space between buildings to provide for adequate fire protection.*
- Zoning Section 5A-9-3-8(A)(1)(b)
Front and Corner Side Yards Off-Street Parking Facilities Setback: Off-street parking facilities are not allowed within the first thirty feet (30') of the required front or corner side yard.
- Zoning Section 5A-9-3-8(B)(1)(a)
Interior Side and Rear Yards Yard Depth: There shall be a required side and rear yard of not less than thirty feet (30') in depth, except that such side and rear yard shall be increased by one foot (1') for each three feet (3') in height that any building on the lot exceeds a height of thirty feet (30').

- Zoning Sections 5A-9-3-8(B)(1)(b)
Interior Side and Rear Yards Off-Street Parking Facilities Setback: Off-street parking facilities within an interior side or rear yard are not allowed within the first twenty feet (20') of the required yard.

For a summary on height, parking counts, and other ordinance standards, please refer to the site plan attached to this memo.

Site Plan Review & Findings of Fact

City staff has reviewed the petitioner submitted documents. A review letter with comments from the City Engineer is included as an attachment to this memo. The petitioner submitted a Justification Narrative with a detailed description of the project and requested relief, in addition to Findings of Fact. As mentioned above, those items are attached to this memo along with the proposed plat and site plan. The City Engineer has reviewed the proposed Plat of Subdivision for compliance. For reference, the criteria the Planning and Zoning Commission and City Council votes on for City Variation requests are included below.

Variation Criteria:

The City may grant variations based on the finding-of-fact that supports the following criteria outlined below by the City to be the most relevant to the subject property situation.

- a) The property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in the zone.*
- b) The plight of the owner is due to unique circumstances.*
- c) The variation if granted will not alter the essential character of the locality.*
- d) Essential Need: The owner would suffer substantial difficulty or hardship and not mere inconvenience or a decrease in financial gain if the variation is not granted.*
- e) Problem with Property: There is a feature of the property such as slope or shape or change made to the property, which does not exist on neighboring properties, which makes it unreasonable for the owner to make the proposed improvement in compliance with this title. Such feature or change was not made by the current owner and was not known to the current buyer at the time of purchase.*
- f) Smallest Solution: There is no suitable or reasonable way to redesign the proposed improvements without incurring substantial difficulty or hardship or reduce the amount of variation required to make such improvements.*
- g) Create Neighbor Problem: The variation, if granted, will not cause a substantial difficulty, undue hardship, unreasonable burden, or loss of value to the neighboring properties.*
- h) Create Community Problem: The variation, if granted, may result in the same or similar requests from other property owners within the community, but will not cause an unreasonable burden or undesirable result within the community.*
- i) Net Benefit: The positive impacts to the community outweigh the negative impacts.*
- j) Sacrifice Basic Protections: The variation, if granted, will comply with the purposes and intent of this title set forth in subsection 5A-1-2(A) of this title and summarized as follows: to lessen congestion, to avoid overcrowding, to prevent blight, to facilitate public services, to conserve land values, to protect from incompatible uses, to avoid nuisances, to enhance aesthetic values, to ensure an adequate supply of light and air, and to protect public health, safety, and welfare.*

DECISION MODE

The Planning and Zoning Commission will The Planning and Zoning Commission shall provide consideration for the following:

Petition from True North Investments for an Amendment to the Rockwell Planned Unit Development (PUD) to allow the subdivision of a parcel into two lots and variations for the reduction of yard areas and setbacks. consider this item at its meeting on August 7, 2024.

MEETING SCHEDULE

Planning and Zoning Commission
Municipal Services Committee
City Council

August 7, 2024
August 26, 2024
September 3, 2024



ZONING APPLICATION

CITY OF DARIEN
1702 Plainfield Road, Darien, IL 60561
www.darienil.us 630-852-5000

CONTACT INFORMATION

8245 LEMONT ROAD LLC.
Applicant's Name

Same
Owner's Name

CARL MANOFSEY - PRINCIPAL & ASSET MANAGER
Address, City, State, Zip Code

"
Address, City, State, Zip Code

110 TRUVE NORTH INVESTMENTS
3000 WOODCRECK DR. #306 DOWNERS GROVE, IL 60515
Telephone

"
Telephone

(630) 322-9008 x223

"

Email
cmanofsky@lnorthinvestments.com

Email
"

PROPERTY INFORMATION

8245, 8251 & 8255^S LEMONT ROAD DARIEN
Property address

09-32-106-030 (DIVIDE INTO 2 LOTS)
09-32-106-031
PIN Number(s)

OR & I
Zoning District

LIGHT INDUSTRIAL, OFFICE & WAREHOUSE
Current Land Use(s)

(Attach additional information per the Submittal Checklist.)

REQUEST

Brief description of the zoning approval requested. (Contact the City Planner for guidance.)

RESUBDIVISION & ASSIGNMENT TO THE PLANNED UNIT DEVELOPMENT

As Notary Public, in and for DuPage County in Illinois, I do hereby certify that CARL MANOFSEY is personally known by me to be the same person whose name is subscribed above and has appeared before me this day in person and acknowledged that they have signed this document as their own free and voluntary act, for the purposes therein set forth.

Given under my hand and seal, this 24 day of JUNE 2024

Christine Schaults
Notary Public

For office use only	
Date Received:	
Case Number:	
Fee Paid:	
Hearing Date:	



CITY OF DARIEN, ILLINOIS, Community Development Department

Staff Use Only
Case No.:
Date Received:
Fee Paid:
Check No.:
Hearing Date:

PLANNED UNIT DEVELOPMENT petition to the Mayor and City Council of the City of Darien:

PETITIONER INFORMATION

8245 LEMONT ROAD LLC

Petitioner's Name

SAME

Owner's Name

CARL MANOFSEY - PRINCIPAL & ASSET MANAGER

Contact Name

"

Address, City, State, Zip Code

410 TRUE NORTH INVESTMENTS

3000 WOODCREAK DR. #300 DOWNERS GROVE, IL 60515

Address, City, State, Zip Code

"

Phone #

(630) 322 9000 x 223

Phone #

"

Email

N/A.

Fax #

cmanofsky@tnorthinvestments.com

Email

PROPERTY INFORMATION

8245, 8251 & 8255 S. LEMONT ROAD DARIEN, IL

Property address

19.21

Acreage

09 - 32 - 106 - 030 (DIVIDE INTO 2 LOTS)

09 - 32 - 106 - 031

PIN(s)

OR & I

Zoning

Provide legal description on a separate sheet and attach, such as the plat of survey.

REQUEST

ROCKWELL PROPERTY 83RD ST. & LEMONT ROAD

PUD Name

Preliminary PUD

PUD Amendment

Brief description of the proposed development:

Final PUD

RE-SUBDIVISION FROM 2 LOTS TO 3 LOTS

I, CARL MANOFSEY, do hereby certify that I am the owner of record (or one of the owners of record or the attorney for the owners of record of the aforesaid described property) and I hereby make application as such.

Signature

Subscribed and sworn to before this 24 day of JUNE, 20 24

Notary Public



CITY OF DARIEN, ILLINOIS, Community Development Department

Staff Use Only
Case No.:
Date Received:
Fee Paid:
Check No.:
Hearing Date:

Plat of Subdivision petition to the Mayor and City Council of the City of Darien:

PETITIONER INFORMATION

8245 LEMONT ROAD LLC.
 Petitioner's Name
CARL MANOFSKY - PRINCIPAL & ASSET MANAGER
 Contact Name
C/O TRUE NORTH INVESTMENTS
3000 WOODCREEK DR. # 300 DOWNEAS GROVE, IL 60515
 Address, City, State, Zip Code
(630) 322-9008 x 223
 Phone #
N/A
 Fax #
cmanofsky@tnorthinvestments.com
 Email

SAME
 Owner's Name
"
 Address, City, State, Zip Code
"
 Phone #
"
 Email
"

PROPERTY INFORMATION

8245, 8251 & 8255³ LEMONT RD. DARIEN, IL
 Property address
09-32-106-030 (DIVIDE INTO 2 LOTS)
09-32-106-031
 PIN(s)

19.21
 Acreage
OR & I
 Zoning

REQUEST

Check the following: Preliminary Plat Final Plat

TRUE NORTH INVESTMENTS SUBDIVISION

Subdivision Name
 Number of Lots: 3
 Right-of-way (in miles): N/A

Minimum Lot Size: 5.003 Ac.
 Average Lot Size: 6.664 Ac.
 Public or other open space: 7.548 Ac.

I, CARL MANOFSKY do hereby certify that I am the owner of record (or one of the owners of record or the attorney for the owners of record of the aforesaid described property) and I hereby make application as such.

Carl Manofsky
 Signature

Subscribed and sworn to before this 24 day of JUNE, 2024.

Christine Schaults
 Notary Public



**CITY OF DARIEN
ZONING VARIATIONS
JUSTIFICATION NARRATIVE**

Purpose

To be consistent and fair, the City is obligated to make decisions on zoning variation requests based on findings-of fact. The Applicant should write a justification narrative that contains evidence (facts) that support a conclusion (finding) that the variation is necessary and would not cause problems. It should include: a) explanation of why the variation is being requested, b) describe the 'hardship condition' of the property that makes it difficult to conform, c) estimate the impact on neighbors, and d) respond to each of the decision criteria below.

Nature of Request

The subject property has been developed for some time with two attached buildings. Applicant desires as part of amending the existing planned unit development to resubdivide the property, so that each of the existing buildings will be situated on a separate lot of record. The resubdivision also will contain a third lot which will not be improved with any structures and which will be treated as an outlot for the benefit of the two improved lots. The purpose of this request is to allow Applicant to sell one of the new lots containing one of the two buildings to a third party, thereby allowing the owner of each of the improved lots to own a separate lot of record. There is no intention at this time of constructing any new buildings on any of the property or modifying the existing buildings. By creating new lot lines as part of the resubdivision, however, variations are required in order to address newly created required building separations, setbacks, and parking within setbacks, occasioned by the newly created lot lines in the resubdivision. Specifically, those variations which are being requested are the following:

1. A reduction of yard space between buildings on lots 1 and 2;
2. Reduction of rear yards on lots 1 and 2;
3. Off-street parking within the front yard on lot 1
4. Off-street parking within interior and rear setbacks on lots 1 and 2.

Decision Criteria (See City Code Section 5A-2-2-3)

- 2a. The property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in the zone.

Unless the requested variations are granted, Applicant will be unable to separate ownership of the existing two buildings, thereby, unduly restricting its ability to sell or finance the buildings separately, as the requested variations are required in order to proceed with the necessary resubdivision to create a separate lot for each building.

- 2b. The plight of the owner is due to unique circumstances.

The existing buildings were developed, located, and currently exist on the property under single ownership. Without the proposed resubdivision, and the granting of the necessary variations in conjunction with such resubdivision, Applicant is unable to separate the ownership of the two buildings and to sell less than both buildings to a single owner.

- 2c. The variation if granted will not alter the essential character of the locality.

There will be no physical change to the property resulting from the granting of the subject variations as it will merely allow Applicant the ability to separate ownership of the two improved lots, which lots and the respective existing buildings will continue to be maintained as currently improved.

- 3a. Essential Need? The owner would suffer substantial difficulty or hardship and not mere inconvenience or a decrease in financial gain if the variation is not granted.

Unless the property is resubdivided, for which the variations would be required, the owner would suffer substantial difficulty and hardship in being restricted from selling either building separately, and would be required to sell the properties together, thereby severely limit the owner's ability to maximize the fair market value of each of the buildings separately.

- 3b. Problem with Property? There is a feature of the property such as slope or shape or change made to the property, which does not exist on neighboring properties, which makes it unreasonable for the owner to make the proposed improvement in compliance with the Zoning Code. Such feature or change was not made by the current owner and was not known to the current buyer at the time of purchase.

Given the current location of the buildings on the subject property as presently improved, in order for the owner to separate ownership of the two existing buildings on the property without the requested variations, owner would be required to demolish and relocate at least one of the buildings which would be an unreasonable burden on the owner.

- 3c. Smallest Solution? There is no suitable or reasonable way to redesign the proposed improvements without incurring substantial difficulty or hardship or reduce the amount of variation required to make such improvements.

Without the granting of the requested variations, there is no reasonable way to redesign the improvements which are preexisting and currently in place without substantially reconstructing the buildings at substantial difficulty and hardship to owner.

- 3d. Create Neighbor Problem? The variation, if granted, will not cause a substantial difficulty, undue hardship, unreasonable burden, or loss of value to the neighboring properties.

The variation, if granted, will not result in any physical change to the property or have any impact on any surrounding properties, and will merely allow and facilitate separate ownership of the currently existing buildings.

- 3e. Create Community Problem? The variation, if granted, may result in the same or similar requests from other property owners within the community, but will not cause an unreasonable burden or undesirable result within the community.

If a similar request was made by another owner within the community, inasmuch as it would not result in any physical change to the improvements on such property, it would not cause an unreasonable burden or undesirable result within the community.

- 3f. Net Benefit? The positive impacts to the community outweigh the negative impacts.

By allowing the owner to deal separately with each building and to sell one of the buildings to a proposed occupant thereof, the vacancy in the building located on lot 2 would no longer exist, thereby providing a positive impact to the community, resulting in no negative impact whatsoever.

- 3g. Sacrifice Basic Protections? The variation, if granted, will comply with the purposes and intent of the Zoning Code set forth in Section 5A-1-2(A) and summarized as follows; to lessen congestion, to avoid overcrowding, to prevent blight, to facilitate public services, to conserve land values, to protect from incompatible uses, to avoid nuisances, to enhance aesthetic values, to ensure an adequate supply of light and air, and to protect public health, safety, and welfare.

If granted, the variations would allow the maximum use of the subject property without the replacement or expansion of any existing improvements, such that there would be no increase in potential congestion nor introduction of any incompatible or undesirable uses, with the public health safety and welfare preserved.

TABLE OF REQUESTED VARIANCES

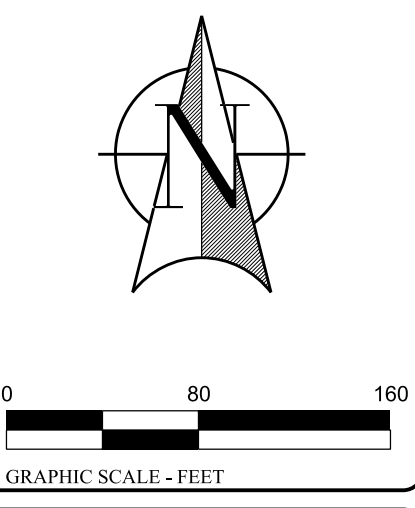
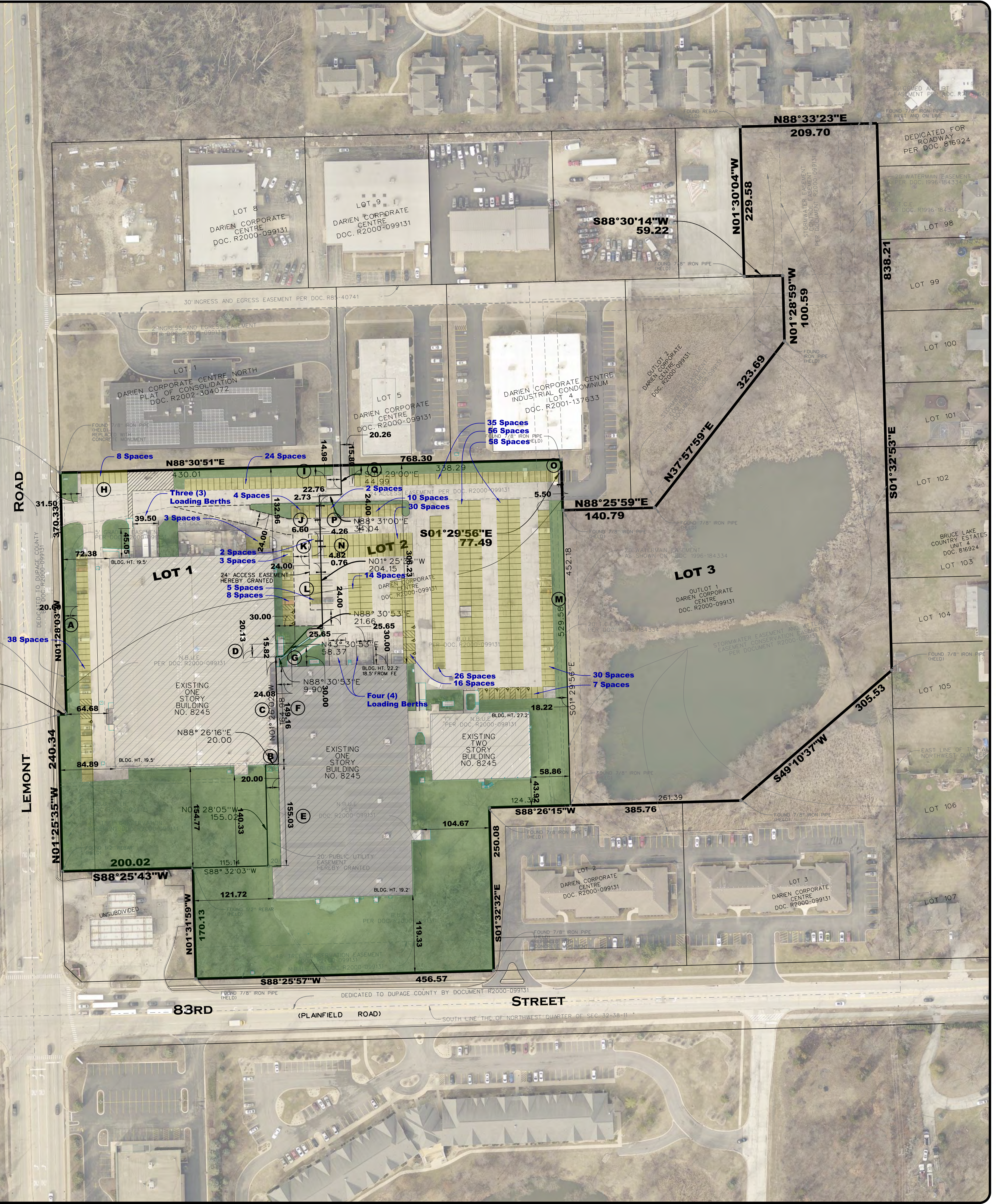
Darien Zoning Ordinance Section	Requirement	Lot 1 Variance Requested*	Lot 2 Variance Requested*
SA-9-3-8 (A)-1(b) Yard Requirements, Front and Corner Side Yards, Abutting or Adjoining a Non-Residential District, Off-Street Parking Facilities Setback (OR&I District)	Off-street parking facilities are not allowed within the first thirty feet (30') of the required front or corner side yard.	A. Maintain a setback of approximately 20 feet between the west property boundary and the existing 38 parking spaces located in the front yard west of the building.	N/A
SA-9-3-8 (B)-1(a) Interior Side and Rear Yards, Abutting or Adjoining a Non-Residential District, Yard Depth (OR&I District)	There shall be a required side and rear yard of not less than thirty feet (30') in depth, except that such side and rear yard shall be increased by one foot (1') for each three feet (3') in height that any building on the lot exceeds a height of thirty feet (30').	B. Side yard depth of zero feet for a 20-foot wide location at the southeast corner of the building. C. Rear yard depth of zero feet for an approximately 165-foot long location along the east side of the building. D. Rear yard depth between zero and 30 feet for an approximately 20-foot long location along the east side of the building.	E. Side yard depth of 20 feet for an approximately 155-foot long location along the west side of the building. F. Side yard depth of zero feet for an approximately 149-foot long location along the west side of the building. G. Rear yard depth between approximately 16 and 30 feet for an approximately 24-foot wide location along the north side of the building.
SA-3-3-9 Yards and Spaces Between Buildings (PUD)	(A) The required yards or setbacks within the interior of the planned unit development, but not along the periphery of the planned unit development, may be modified within the ordinance granting the planned unit development. The required yards or setbacks as aforesaid may receive modifications of up to fifty percent (50%) of the standards set forth in the underlying zoning districts and may be used for parking or other purposes. (B) Buildings of more than twenty four feet (24') in height shall provide a setback from any property line of not less than equal to the height of such buildings. (C) No minimum horizontal distance between buildings is established; provided, however, that good planning standards are followed and that there is sufficient space between buildings to provide for adequate fire protection.	H. Maintain a setback of zero feet between the north property boundary and the eight existing parking spaces located north of the building. I. Maintain a setback of approximately 15 feet between the north property boundary and the existing 24 parking spaces located north of the building. J. Establish a setback of approximately 7 feet between the east property boundary and the start of a row of four existing parking spaces located northeast of the building. K. Establish a setback of approximately 4 feet between the east property boundary and the existing two parking spaces located east of the building. L. Establish a setback of approximately one foot between the east property boundary and the existing five parking spaces located east of the building.	M. Maintain a setback of approximately 16 feet between the east property boundary and the existing 30 parking spaces located northeast of the building. N. Establish a setback of approximately five feet between the west property boundary and the start of two rows of 15 existing parking spaces located north of the building. O. Maintain a setback of approximately six feet between the east property boundary and the start of a row of 35 existing parking spaces located at the northeast corner of the lot. P. Establish a setback of approximately three feet between the west property boundary and the existing two parking spaces located east of the building. Q. Maintain a setback of approximately 16 feet between the north property boundary and the existing 35 parking spaces located north of the building.
SA-9-3-8 (B)-1(b) Interior Side and Rear Yards, Abutting or Adjoining a Non-Residential District, Off-Street Parking Facilities Setback (OR&I District)	Off-street parking facilities within an interior side or rear yard are not allowed within the first twenty feet (20') of the required yard.		

*Locations of variances requested are shown on the exhibit and annotated by the listed letter.



SITE DATA TABLE

Darien Zoning Ordinance Section	Requirement	Lot 1 Data	Lot 2 Data
SA-9-3-6 Area Requirements (OR&I District)	The minimum lot area on the OR&I district shall be two (2) acres, except for planned unit developments which shall have a minimum land area of three (3) acres.	Lot Area = 5.003 ac	Lot Area = 7.381 ac
SA-9-3-9 (A) Height Limitations, Bulk Regulations (OR&I District)	The maximum height for all buildings and structures in the OR&I District shall be forty feet (40'); however, this limit may be increased by special use approval granted by the City Council, and after public hearings before the Plan Commission. Any such increased height shall be reasonably required for the particular research or development use to which the property in question is to be put, and such increase shall not unduly conflict with the intent of this Title or interfere with the rights of the public.	Existing One-Story Building Height = 19.5 ft	Existing One-Story Building Height = 22.2 ft Existing Two-Story Building Height = 27.2 ft
SA-9-3-9 (B) Height Limitations, Bulk Regulations (OR&I District)	The basic floor area ratio in the OR&I district shall be 0.6.	Existing One-Story Building = 1,865 ac; 81,247 sq-ft FAR = 0.37	Total Building Area = 2,038 ac; 88,763 sq-ft Existing One-Story Building Area = 72,668 sq-ft Existing Two-Story Building Area = 16,095 sq-ft FAR = 0.28
SA-9-3-9 (C) Height Limitations, Bulk Regulations (OR&I District)	Not more than seventy five percent (75%) of the net site area shall be covered by principal and accessory buildings and structures and paved or impervious areas.	Pervious Area = 1,572 ac Impervious Area = 3,431 ac Percent Impervious = 69%	Pervious Area = 2,653 ac Impervious Area = 4,728 ac Percent Impervious = 64%
SA-11-2-2: Off Street Parking Requirements	Off street parking spaces shall be provided in accordance with the specific parking and loading classes as hereinafter set forth in the off street parking and loading table, found in section 5A-11-5 of this chapter.	Total Spaces Required = 81 Total Spaces Provided = 95	Total Spaces Required = 89 Total Spaces Provided = 284
SA-11-2-3: (B) Accessible Parking Requirements, Number	Select Parking Class 2 (Manufacture & Industrial Uses, applicable to Printing & Publishing, Wearing Apparel Manufacture)	ADA Spaces Required = 4 ADA Spaces Provided = 4	ADA Spaces Required = 7 ADA Spaces Provided = 7
SA-11-4-2: Off-Street Loading Requirements	Off-street loading berths shall be provided in accordance with the specific parking and loading classes as hereinafter set forth in the off-street parking and loading table found in Section 5A-11-5 of this Chapter. Select Parking Class 2 (Manufacture & Industrial Uses, applicable to Printing & Publishing, Wearing Apparel Manufacture)	Loading Berths Required = 3 Loading Berths Provided = 3	Loading Berths Required = 3 Loading Berths Provided = 4



**8245 LEMONT ROAD
DARIEN, ILLINOIS**

Prepared For:
KEELEY CONSTRUCTION, INC.
245 E. Sidney Ct.
Villa Park, Illinois 60181
Phone: 630.535.2891

WMA
Over 100 Years of Service to Clients
2100 MANCHESTER ROAD, BLDG A, SUITE 203
WILMINGTON, ILLINOIS 60187
PH: 630.535.2891
WWW.WMA-ILL.COM
DISION FIRM LICENSE NO. 18440031.01

REVISION	DATE	DESCRIPTION

Section: Township-Range
DuPage: NW1/4 32-38N-11E

JOB # 44674 SURV: Haeger & JCV
DRAWN: MJB REVIEW: SMR
SCALE: 1"=80' DATE: 06-10-2024
SHEET NAME

REQUESTED VARIANCES

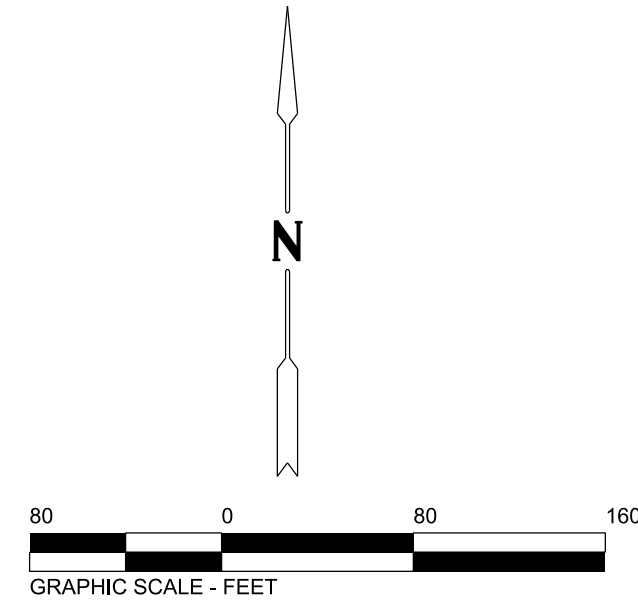
SHEET # **X-1**

SHEET 1 OF 2

FINAL PLAT OF TRUE NORTH INVESTMENT SUBDIVISION

P.I.N.
09-32-106-030
09-32-106-031

IN THE NORTHWEST QUARTER OF SECTION 32, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN DUPAGE COUNTY, ILLINOIS.

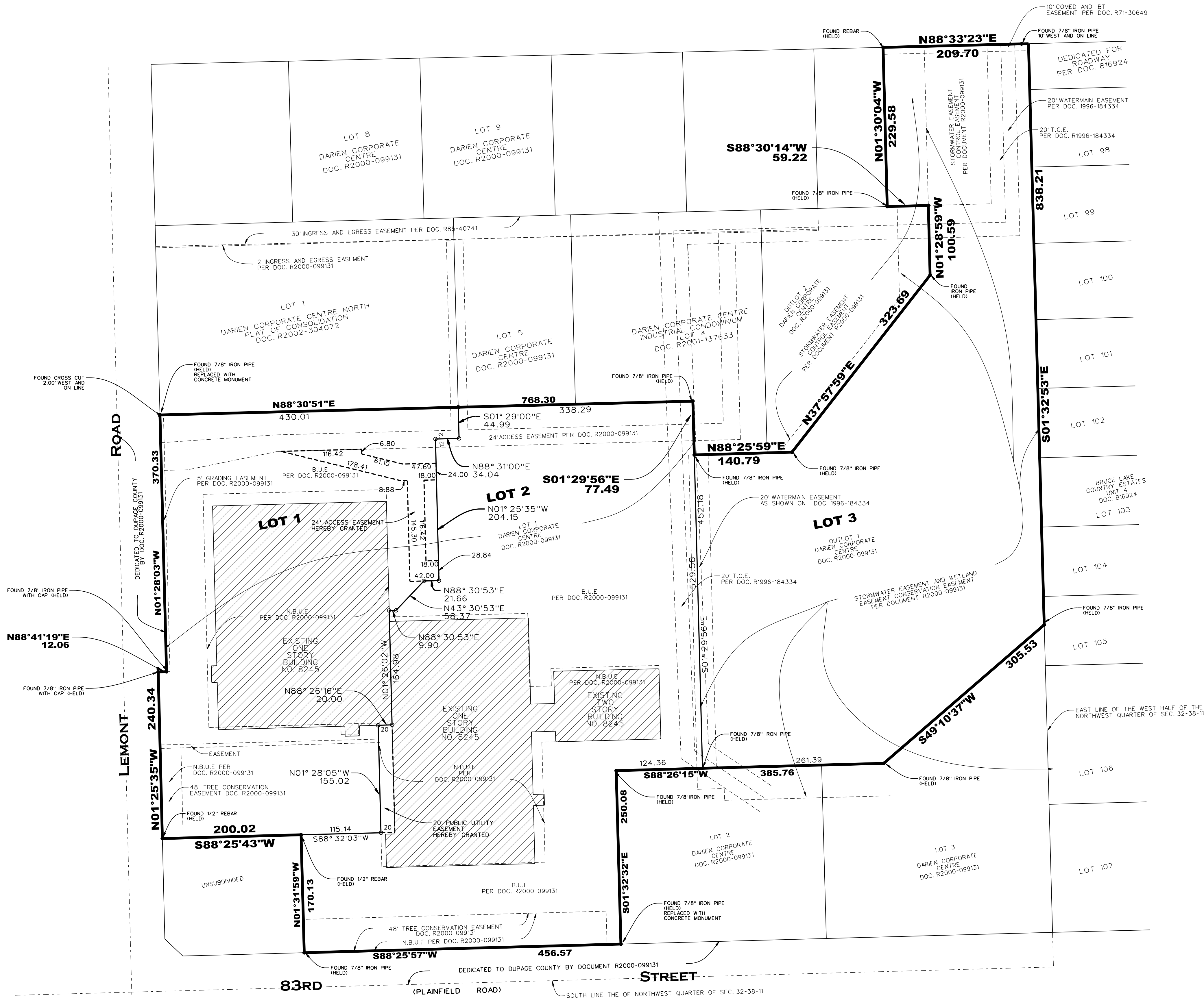


BASIS OF BEARING

ILLINOIS STATE PLANE EAST ZONE AS DETERMINED BY TRIMBLE VRS GPS NETWORK

LAND AREA

LOT 1 = 217,939 SQ. FT. OR 5.003 ACRES
LOT 2 = 321,526 SQ. FT. OR 7.381 ACRES
LOT 3 = 328,796 SQ. FT. OR 7.548 ACRES



SUBMIT TAX BILL TO:

NAME: _____

ADDRESS: _____

RETURN PLAT TO:

NAME: _____

ADDRESS: _____

GENERAL NOTES

3/4" IRON PIPES SET AT ALL LOTS CORNERS UNLESS NOTED OTHERWISE.

THE SURVEYOR HAS NOT BEEN PROVIDED WITH A TITLE COMMITMENT WHICH WOULD INCLUDE AN INSURED LEGAL DESCRIPTION AND DISCLOSE EASEMENTS AND RESTRICTIONS AFFECTING THE SUBJECT PROPERTY.

NO SEARCH OF RECORDS FOR EASEMENTS OR ENCUMBRANCES WAS DONE BY SURVEYOR.

FOR BUILDING LINES, EASEMENTS AND OTHER RESTRICTIONS, REFER TO THE OWNER'S DEED, TITLE POLICY AND LOCAL ZONING ORDINANCES.

FIELDWORK COMPLETED 3-14-2024

Rev.	Date	Description	By
1	03-14-24	ISSUED FOR APPROVAL	JCV
1	05-03-24	ADDED EASEMENTS	JCV
2	05-30-24	ADDED CERTIFICATES	CLB
3	06-10-24	REVISED LOT LINES	JCV

PLAT OF SUBDIVISION			
LOCATION: 8245 LEMONT ROAD, DARIEN, ILLINOIS			
PREPARED FOR: KEELEY CONSTRUCTION, INC 245 E. SIDNEY CT. VILLA PARK, ILLINOIS 60181 PHONE: 630.833.8600			
JOB #: 44674		DATE: 06-10-2024	SCALE: 1" = 80'
SURV: JCV		DRAWN: JCV	DESIGN: ---
FILE #: D-23809 SUBDIVISION		SHEET #: 1 of 2	

WEBSTER, McGRATH & AHLBERG LTD.
VMA
LAND SURVEYING - CIVIL ENGINEERING - LANDSCAPE ARCHITECTURE
Over a Century of Service to our Clients
2100 Manchester Road, Building A, Suite 203 | Wheaton, Illinois 60187
ph: (630)668-7653 | web: www.wmaill.com
Design Firm License No. 184-003101

FINAL PLAT OF TRUE NORTH INVESTMENT SUBDIVISION

P.I.N. 09-32-106-030 09-32-106-031

IN THE NORTHWEST QUARTER OF SECTION 32, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN DUPAGE COUNTY, ILLINOIS.

DUPAGE COUNTY RECORDER'S CERTIFICATE

STATE OF ILLINOIS) COUNTY OF DU PAGE) SS THIS INSTRUMENT NO. WAS FILED FOR RECORD IN THE RECORDER'S OFFICE OF DU PAGE COUNTY, ILLINOIS, AFORESAID, ON THE DAY OF A.D. 20 AT O'CLOCK M.

COUNTY CLERK CERTIFICATE

STATE OF ILLINOIS) COUNTY OF DUPAGE) SS I, COUNTY CLERK OF DUPAGE COUNTY, ILLINOIS, DO HEREBY CERTIFY THAT THERE ARE NO DELINQUENT GENERAL TAXES, NO UNPAID FORFEITED TAXES AND NO REDEEMABLE TAX SALES AGAINST ANY OF THE LAND INCLUDED IN THE ANNEXED PLAT. GIVEN UNDER MY HAND AND SEAL AT WHEATON, DUPAGE COUNTY, ILLINOIS, THIS DAY OF 20 COUNTY CLERK

OWNER AND NOTARY CERTIFICATE

STATE OF ILLINOIS) COUNTY OF DU PAGE) SS THIS IS TO CERTIFY THAT AS OWNER OF THE PROPERTY DESCRIBED IN THE ANNEXED PLAT, HAS CAUSED THE SAME TO BE PLATTED AS INDICATED HEREON, FOR THE USES AND PURPOSES THEREIN SET FORTH AND DOES HEREBY ACKNOWLEDGE AND ADOPT THE SAME UNDER THE STYLE AND TITLE THEREON INDICATED. WE FURTHER CERTIFY THAT THE PROPERTY HEREIN CONSOLIDATED LIES WITHIN SCHOOL DISTRICTS:

DATED AT ILLINOIS, THIS DAY OF A.D., 20

BY: TITLE:

ATTEST: TITLE:

STATE OF ILLINOIS) COUNTY OF) SS I, A NOTARY PUBLIC IN AND FOR SAID COUNTY IN THE STATE AFORESAID, DO HEREBY CERTIFY THAT OF PERSONALLY KNOWN TO ME TO BE THE SAME PERSONS WHOSE NAMES ARE SUBSCRIBED TO THE FOREGOING INSTRUMENT AS SUCH AND APPEARED BEFORE ME THIS DAY IN PERSON AND ACKNOWLEDGED THAT THEY SIGNED AND DELIVERED THE SAID INSTRUMENT AS THEIR OWN FREE AND VOLUNTARY ACT AND AS THE FREE AND VOLUNTARY ACT OF SAID CORPORATION, FOR THE USES AND PURPOSES THEREIN SET FORTH AND THE SECRETARY DID ALSO THEN AND THERE ACKNOWLEDGE THAT HE, AS CUSTODIAN OF THE CORPORATE SEAL OF SAID CORPORATION, DID AFFIX SAID CORPORATE SEAL TO SAID INSTRUMENT AS HIS OWN FREE AND VOLUNTARY ACT AND AS THE FREE AND VOLUNTARY ACT OF SAID CORPORATION, FOR THE USES AND PURPOSES THEREIN SET FORTH.

GIVEN UNDER MY HAND AND NOTARIAL SEAL AT ILLINOIS, THIS DAY OF A.D., 20

BY: NOTARY PUBLIC

MY COMMISSION EXPIRES

CITY CERTIFICATE AS TO SPECIAL ASSESSMENTS

STATE OF ILLINOIS) COUNTY OF DuPAGE)SS I, CITY TREASURER OF THE CITY OF DARIEN DO HEREBY CERTIFY THAT THERE ARE NO DELINQUENT OR UNPAID CURRENT OR FORFEITED SPECIAL ASSESSMENTS OR ANY DEFERRED INSTALLMENTS THEREOF THAT HAVE BEEN APPORTIONED AGAINST THE TRACTS OF LAND INCLUDED IN THIS PLAT. GIVEN UNDER MY HAND AND SEAL THIS DAY OF A.D. 20

CITY TREASURER

CITY CLERK

STATE OF ILLINOIS) COUNTY OF DuPAGE)SS I, CITY CLERK OF THE CITY OF DARIEN, HEREBY CERTIFY THAT THE ANNEXED PLAT WAS PRESENTED TO AND BY RESOLUTION DULY APPROVED BY THE CITY COUNCIL, OF THE CITY OF DARIEN AT ITS MEETING HELD ON 20 AND THAT THE REQUIRED BOND OR GUARANTEE HAS EITHER POSTED OR ADEQUATE PROVISION HAS BEEN MADE FOR SUCH BOND TO BE POSTED, FOR THE COMPLETION OF THE IMPROVEMENTS REQUIRED BY THE REGULATIONS OF THE CITY

GIVEN UNDER MY HAND AND SEAL OF THE CITY OF DARIEN, ILLINOIS HIS DAY OF A.D. 20

CITY CLERK

MAYOR

CITY ENGINEER CERTIFICATE

STATE OF ILLINOIS) COUNTY OF DuPAGE)SS I, CITY ENGINEER OF THE CITY OF DARIEN, ILLINOIS, HEREBY CERTIFY THAT THE LAND IMPROVEMENTS DESCRIBED IN THE ANNEXED PLAT, AND PLANS AND SPECIFICATIONS THERETO MEET THE MINIMUM REQUIREMENTS OF SAID CITY AND HAVE BEEN APPROVED BY ALL PUBLIC AUTHORITIES HAVING JURISDICTION THEREIN.

DATED AT DARIEN, ILLINOIS THIS DAY OF A.D. 20

CITY ENGINEER

CITY PLAN COMMISSION CERTIFICATE

STATE OF ILLINOIS) COUNTY OF DuPAGE)SS APPROVED BY THE PLAN COMMISSION OF THE CITY OF DARIEN, DUPAGE COUNTY, ILLINOIS. THIS DAY OF A.D. 20

BY: CHAIRPERSON

MAYOR CERTIFICATE

STATE OF ILLINOIS) COUNTY OF DuPAGE)SS APPROVED BY THE MAYOR OF THE CITY OF DARIEN, DUPAGE COUNTY, ILLINOIS. THIS DAY OF A.D. 20

BY: CHAIRPERSON

SURVEYOR CERTIFICATE

STATE OF ILLINOIS) COUNTY OF DUPAGE) SS THIS IS TO CERTIFY THAT WEBSTER, McGRATH AND AHLBERG, LTD., HAVE SURVEYED AND SUBDIVIDED THE FOLLOWING DESCRIBED PROPERTY:

LOT 1, OUTLOT 1 AND OUTLOT 2 IN DARIEN CORPORATE CENTRE, OF PART OF THE NORTHWEST QUARTER OF SECTION 32, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JUNE 29, 2000 AS DOCUMENT, R2000-99131, IN DUPAGE COUNTY, ILLINOIS.

THE PLAT HEREON DRAWN DEPICTS SAID PROPERTY. DIMENSIONS ARE SHOWN IN FEET AND DECIMAL PARTS THEREOF.

I FURTHER CERTIFY THAT THE PROPERTY SHOWN ON THE PLAT HEREON DRAWN IS SITUATED WITHIN THE CORPORATE LIMITS OF THE CITY OF DARIEN WHICH HAS ADOPTED A COMPREHENSIVE PLAN AND WHICH IS EXERCISING THE SPECIAL POWERS AUTHORIZED BY DIVISION 12 OF ARTICLE 11 OF THE ILLINOIS MUNICIPAL CODE, AS HERETOFORE AND HEREAFTER AMENDED.

I FURTHER CERTIFY THAT, BASED UPON A REVIEW OF THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAPS FOR THE CITY OF DARIEN, ILLINOIS, DUPAGE COUNTY, COMMUNITY PANEL 170750, MAP NUMBER 17043C0257 J WITH AN EFFECTIVE DATE OF AUGUST 1 2019, THE SUBJECT PROPERTY LIES WITHIN ZONE X, AREAS DETERMINED TO BE OUTSIDE THE 500 YEAR FLOOD PLAN AND DOES NOT LIE WITHIN A SPECIAL FLOOD HAZARD AREA.

GIVEN UNDER MY HAND AND SEAL THIS DAY OF A.D. 20

ILLINOIS PROFESSIONAL LAND SURVEYOR NUMBER LICENSE EXPIRES: NOVEMBER 30, 2024 WEBSTER McGRATH & AHLBERG, LTD, 2100 MANCHESTER ROAD, SUITE 203 WHEATON, ILLINOIS 60187 PHONE: 630-668-7603

SURVEYOR AUTHORIZATION TO RECORD

STATE OF ILLINOIS) COUNTY OF DUPAGE)SS I HEREBY DESIGNATE THE CITY OF DARIEN, AND/OR REPRESENTATIVES THEREOF, TO RECORD THIS PLAT, AN ORIGINAL COPY OF WHICH HAS BEEN RETAINED BY ME TO ASSURE NO CHANGES HAVE BEEN MADE TO SAID PLAT.

DATED THIS DAY OF A.D. 20

AT WHEATON, DUPAGE COUNTY, ILLINOIS.

ILLINOIS PROFESSIONAL LAND SURVEYOR NUMBER LICENSE EXPIRES: NOVEMBER 30, 2024 WEBSTER McGRATH & AHLBERG, LTD, 2100 MANCHESTER ROAD, SUITE 203 WHEATON, ILLINOIS 60187 PHONE: 630-668-7603

DRAINAGE CERTIFICATE

STATE OF ILLINOIS))SS COUNTY OF DUPAGE) TO THE BEST OF OUR KNOWLEDGE AND BELIEF THE DRAINAGE OF SURFACE WATERS WILL NOT BE CHANGED BY THE CONSTRUCTION OF SUCH SUBDIVISION OR ANY PART THEREOF, OR, THAT IF SUCH SURFACE WATER DRAINAGE WILL BE CHANGED, REASONABLE PROVISION HAS BEEN MADE FOR COLLECTION AND DIVERSION OF SUCH SURFACE WATERS INTO PUBLIC AREAS, OR DRAINS WHICH THE SUBDIVIDER HAS A RIGHT TO USE, AND THAT SUCH SURFACE WATERS WILL BE PLANNED FOR IN ACCORDANCE WITH GENERALLY ACCEPTED ENGINEERING PRACTICES SO AS TO REDUCE THE LIKELIHOOD OF DAMAGE TO THE ADJOINING PROPERTY BECAUSE OF THE CONSTRUCTION OF THE SUBDIVISION.

DATED THIS DAY OF A.D. 20

ENGINEER OWNER/ATTORNEY

PUBLIC UTILITY EASEMENT PROVISIONS

ALL EASEMENTS INDICATED AS PUBLIC UTILITY EASEMENTS (P.U.E.) ON THIS PLAT ARE RESERVED FOR AND GRANTED TO THE CITY OF DARIEN AND TO ANY ENTITY OPERATING UNDER FRANCHISE FROM THE CITY INCLUDING, BUT NOT LIMITED TO, ILLINOIS BELL TELEPHONE COMPANY, NORTHERN ILLINOIS GAS COMPANY, COMMONWEALTH EDISON COMPANY, A CABLE TELEVISION OR COMMUNICATIONS COMPANY AND THEIR SUCCESSORS AND ASSIGNS FOR THE PERPETUAL RIGHT, PRIVILEGE AND AUTHORITY TO CONSTRUCT, RECONSTRUCT, REPAIR, INSPECT, MAINTAIN AND OPERATE VARIOUS TRANSMISSION DISTRIBUTION AND COLLECTION SYSTEMS AND ALL NECESSARY LINES, NECESSARY PERSONNEL AND EQUIPMENT TO DO ANY OF THE ABOVE WORK. THE RIGHT IS ALSO GRANTED TO CUT DOWN, TRIM OR REMOVE ANY TREES, SHRUBS OR OTHER PLANTS ON THE EASEMENT THAT INTERFERE WITH THE OPERATION OF THE SEWERS OR OTHER UTILITIES. NO PERMANENT BUILDINGS OR TREES SHALL BE PLACED ON SAID EASEMENTS, BUT SAME MAY BE USED FOR GARDENS, SHRUBS, LANDSCAPING AND OTHER PURPOSES THAT DO NOT THEN OR LATER INTERFERE WITH THE AFORESAID USES OR RIGHTS. LOCATION OF UTILITY INSTALLATIONS WITHIN THE EASEMENT SHALL BE SUBJECT TO THE APPROVAL OF THE CITY OF DARIEN AS TO DESIGN AND LOCATION. ALL INSTALLATIONS ARE SUBJECT TO THE ORDINANCES OF THE CITY OF DARIEN

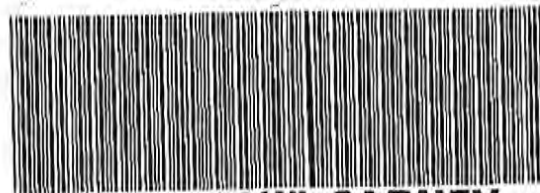
STORMWATER CONTROL EASEMENT PROVISIONS

ALL EASEMENTS INDICATED AS PUBLIC UTILITY EASEMENTS (P.U.E.) ON THIS PLAT ARE RESERVED FOR AND GRANTED TO THE CITY OF DARIEN AND TO ANY ENTITY OPERATING UNDER FRANCHISE FROM THE CITY INCLUDING, BUT NOT LIMITED TO, ILLINOIS BELL TELEPHONE COMPANY, NORTHERN ILLINOIS GAS COMPANY, COMMONWEALTH EDISON COMPANY, A CABLE TELEVISION OR COMMUNICATIONS COMPANY AND THEIR SUCCESSORS AND ASSIGNS FOR THE PERPETUAL RIGHT, PRIVILEGE AND AUTHORITY TO CONSTRUCT, RECONSTRUCT, REPAIR, INSPECT, MAINTAIN AND OPERATE VARIOUS TRANSMISSION DISTRIBUTION AND COLLECTION SYSTEMS AND ALL NECESSARY LINES, NECESSARY PERSONNEL AND EQUIPMENT TO DO ANY OF THE ABOVE WORK. THE RIGHT IS ALSO GRANTED TO CUT DOWN, TRIM OR REMOVE ANY TREES, SHRUBS OR OTHER PLANTS ON THE EASEMENT THAT INTERFERE WITH THE OPERATION OF THE SEWERS OR OTHER UTILITIES. NO PERMANENT BUILDINGS OR TREES SHALL BE PLACED ON SAID EASEMENTS, BUT SAME MAY BE USED FOR GARDENS, SHRUBS, LANDSCAPING AND OTHER PURPOSES THAT DO NOT THEN OR LATER INTERFERE WITH THE AFORESAID USES OR RIGHTS. LOCATION OF UTILITY INSTALLATIONS WITHIN THE EASEMENT SHALL BE SUBJECT TO THE APPROVAL OF THE CITY OF DARIEN AS TO DESIGN AND LOCATION. ALL INSTALLATIONS ARE SUBJECT TO THE ORDINANCES OF THE CITY OF DARIEN

DRAINAGE EASEMENT PROVISIONS

ALL EASEMENTS INDICATED AS DRAINAGE EASEMENTS (D.E.) ON THIS PLAT ARE RESERVED FOR AND GRANTED TO THE CITY OF DARIEN AND THEIR SUCCESSORS AND ASSIGNS FOR THE PERPETUAL RIGHT, PRIVILEGE AND AUTHORITY TO CONSTRUCT, RECONSTRUCT, REPAIR, INSPECT, MAINTAIN AND OPERATE COLLECTION SYSTEMS AND ALL NECESSARY LINES, NECESSARY PERSONNEL AND EQUIPMENT TO DO ANY OF THE ABOVE WORK. THE RIGHT IS ALSO GRANTED TO CUT DOWN, TRIM OR REMOVE ANY TREES, SHRUBS OR OTHER PLANTS ON THE EASEMENT THAT INTERFERE WITH THE OPERATION OF THE SEWERS, NO PERMANENT BUILDINGS OR TREES SHALL BE PLACED ON SAID EASEMENTS, BUT SAME MAY BE USED FOR GARDENS, SHRUBS, LANDSCAPING AND OTHER PURPOSES THAT DO NOT THEN OR LATER INTERFERE WITH THE AFORESAID USES OR RIGHTS. LOCATION OF UTILITY INSTALLATIONS WITHIN THE EASEMENT SHALL BE SUBJECT TO THE APPROVAL OF THE CITY OF DARIEN AS TO DESIGN AND LOCATION. ALL INSTALLATIONS ARE SUBJECT TO THE ORDINANCES OF THE CITY OF DARIEN

Table with 4 columns: Rev, Date, Description, By. Includes project details for Webster, McGrath & Ahlberg Ltd., Job # 44674, Date 06-10-2024, Scale 1"= 80', and sheet information: PLAT OF SUBDIVISION, 8245 LEMONT ROAD DARIEN, ILLINOIS, SHEET # 2 of 2.



J.P. "RICK" CARNEY
DUPAGE COUNTY RECORDER
DEC.08,1999 12:52 PM
OTHER 09-32-106-005
006 PAGES R1999-254048

CITY OF DARIEN
DU PAGE COUNTY, ILLINOIS

ORDINANCE NO. 0-22-99

**AN ORDINANCE REZONING CERTAIN PROPERTY
FROM THE I-1 GENERAL INDUSTRIAL DISTRICT
TO THE O R & I OFFICE, RESEARCH AND LIGHT
INDUSTRIAL DISTRICT**
(ROCKWELL PROPERTY, 83RD STREET AND LEMONT ROAD)

Darien, IL 60561

**ADOPTED BY THE
MAYOR AND CITY COUNCIL
OF THE
CITY OF DARIEN**

THIS 20th DAY OF SEPTEMBER, 1999.

Published in pamphlet form by authority
of the Mayor and City Council of the City
of Darien, DuPage County, Illinois, this
22nd day of September, 1999.

SUBMITTED BY & RETURN TO:
Joanne F. Coleman, City Clerk
City of Darien
1702 Plainfield Road
Darien, IL 60561-5044

09-32-106-005	8113-8119 Lemont	Parcel 5
09-32-106-006	8121-8123 Lemont	Parcel 6
09-32-106-015	8245 Lemont	Parcel 2
09-32-106-016	8245 Lemont	Parcel 3
09-32-106-019	Vacant	Parcel 4
09-32-106-022	Vacant	Parcel 1

ORDINANCE NO. 0-22-99

**AN ORDINANCE REZONING CERTAIN PROPERTY
FROM THE I-1 GENERAL INDUSTRIAL DISTRICT
TO THE O R & I OFFICE, RESEARCH AND LIGHT
INDUSTRIAL DISTRICT
(ROCKWELL PROPERTY, 83RD STREET AND LEMONT ROAD)**

WHEREAS, the property, legally described on Exhibit A attached hereto and made a part hereof (the "Subject Property"), is zoned in the I-1 District pursuant to the Darien Zoning Ordinance; and

WHEREAS, the Subject Property is located at 83rd and Lemont Road and is commonly referred to as the "Rockwell Property"; and

WHEREAS, the owner of the Subject Property has petitioned the City to rezone the Subject Property from the I-1 District to the City's O R & I District pursuant to the applicable provisions of the Darien Zoning Ordinance; and

WHEREAS, pursuant to Notice published in the Darien Metropolitan Newspaper of general circulation within the City on April 15, 1999, the Darien Plan Commission conducted a hearing on the proposed rezoning; and

WHEREAS, the Plan Commission has forwarded its report and recommendation to the City Council; and

WHEREAS, the City Council determines the rezoning of the Subject Property to the O R & I District is reasonable and will further the sound and orderly growth of the City;

ORDINANCE NO. 0-22-99

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DARIEN, DU PAGE COUNTY, ILLINOIS, as follows:

SECTION 1: **Rezoning.** The Subject Property is hereby rezoned from the I-1 District to the O R & I District pursuant to the terms of the Darien Zoning Ordinance.

SECTION 2: **Repeal of Prior Ordinance.** Ordinance No. 0-06-98 (an Ordinance rezoning certain property granting certain variances and approving a subdivision) is hereby repealed.

SECTION 3: **Zoning Map.** The City Clerk is hereby authorized and directed to note the zoning granted by this Ordinance on the City's official zoning map.

SECTION 4: Effective Date. This Ordinance shall be in full force and effect from and after its passage and approval, and shall subsequently be published in pamphlet form as provided by law.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF DARIEN, DU PAGE COUNTY, ILLINOIS, this 20th day of September, 1999.

AYES: 6 - Biehl, Cotten, Durkin, Hagen, Marchese, Weaver

NAYS: 0 - None

ABSENT: 0 - None

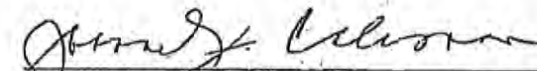
ORDINANCE NO. 0-22-99

APPROVED BY THE MAYOR OF THE CITY OF DARIEN, DU PAGE
COUNTY, ILLINOIS, this 20th day of September, 1999.



CARMEN D. SOLDATO, MAYOR

ATTEST:


JOANNE F. COLEMAN, CITY CLERK

APPROVED AS TO FORM:


CITY ATTORNEY

Legal Description

PARCEL 1: THE NORTH 569.00 FEET OF THE SOUTH HALF OF THE WEST HALF OF THE NORTHWEST QUARTER OF SECTION 32, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN (EXCEPT THE NORTH 230.00 FEET OF THE WEST 1017.56 FEET THEREOF) AND (EXCEPT THE NORTH 230.00 FEET OF THE EAST 100.00 FEET OF THE WEST 1117.56 FEET THEREOF) IN DUPAGE COUNTY, ILLINOIS.

PARCEL 2: THE NORTH 227.50 FEET OF THE SOUTH 577.50 FEET OF THE WEST 385.00 FEET OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 32, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN DUPAGE COUNTY, ILLINOIS.

PARCEL 3: THE SOUTH HALF OF THE WEST HALF OF THE NORTHWEST QUARTER (EXCEPT THE NORTH 569 FEET THEREOF AND EXCEPT THE SOUTH 350 FEET OF THE WEST 350 FEET THEREOF, AND EXCEPT THE NORTH 227.50 FEET OF THE SOUTH 577.50 FEET OF THE WEST 385 FEET THEREOF) IN SECTION 32, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN DUPAGE COUNTY, ILLINOIS.

PARCEL 4: PART OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 32, TOWNSHIP 38 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT BEING THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 32; THENCE DUE NORTH (ASSUMED BEARING) ON AND ALONG THE WEST LINE OF SECTION 32; A DISTANCE OF 350.00 FEET; THENCE NORTH 89 DEGREES 56 MINUTES 40 SECONDS EAST, PARALLEL WITH THE SOUTH LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 50.00 FEET TO A POINT BEING THE INTERSECTION WITH THE EASTERN RIGHT OF WAY LINE OF LEMONT ROAD AND BEING THE "TRUE POINT OF BEGINNING" THENCE CONTINUING NORTH 89 DEGREES 56 MINUTES 40 SECONDS EAST, A DISTANCE OF 300.00 FEET; THENCE DUE SOUTH, PARALLEL WITH THE WEST LINE OF SECTION 32, A DISTANCE

ORDINANCE NO. 0-22-99

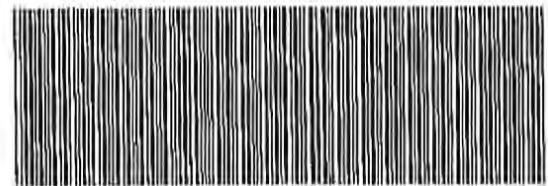
Page Two

OF 300.00 FEET TO A POINT BEING THE INTERSECTION WITH THE NORTHERN RIGHT OF WAY LINE OF 83RD STREET; THENCE SOUTH 89 DEGREES 56 MINUTES 40 SECONDS WEST ON AND ALONG SAID NORTHERN RIGHT OF WAY LINE, BEING PARALLEL WITH AND 50.00 FEET PERPENDICULAR FROM THE CENTER LINE THEREOF, A DISTANCE OF 100.00 FEET; THENCE DUE NORTH A DISTANCE OF 170.00 FEET; THENCE SOUTH 89 DEGREES 56 MINUTES 40 SECONDS WEST, A DISTANCE OF 200.00 FEET TO A POINT BEING THE INTERSECTION WITH THE EASTERN RIGHT OF WAY LINE OF LEMONT ROAD; THENCE DUE NORTH ON AND ALONG SAID EASTERN RIGHT OF WAY LINE, BEING PARALLEL WITH AND 50.00 FEET PERPENDICULAR FROM THE CENTER LINE THEROF, A DISTANCE OF 130.00 FEET TO THE POINT OF BEGINNING, IN DUPAGE COUNTY, ILLINOIS.

PARCEL 5: THE EAST 189.39 FEET OF THE WEST 449.39 FEET OF THE NORTH 230.00 FEET OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 32, TOWNSHIP 38 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN DU PAGE COUNTY, ILLINOIS

PARCEL 6: THE EAST 189.39 FEET OF THE WEST 638.78 FEET OF THE NORTH 230.00 FEET OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 32, TOWNSHIP 38 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN DU PAGE COUNTY, ILLINOIS

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J.P. "RICK" CARNEY
DUPAGE COUNTY RECORDER

DEC.08,1999 12:52 PM
PLAT 09-32-106-005
014 PAGES R1999-254049

CITY OF DARIEN
DU PAGE COUNTY, ILLINOIS

ORDINANCE NO. 0-23-99

**AN ORDINANCE GRANTING A SPECIAL USE FOR
A PLANNED UNIT DEVELOPMENT AND GRANTING
PRELIMINARY PUD PLAN APPROVAL AND
PRELIMINARY PLAT OF SUBDIVISION APPROVAL
SUBJECT TO CERTAIN CONDITIONS
(ROCKWELL PROPERTY, 83RD STREET AND LEMONT ROAD)**

**ADOPTED BY THE
MAYOR AND CITY COUNCIL
OF THE
CITY OF DARIEN**

THIS 20th DAY OF SEPTEMBER, 1999.

Published in pamphlet form by authority
of the Mayor and City Council of the City
of Darien, DuPage County, Illinois, this
22nd day of September, 1999.

A delineation of the property
described in this instrument
appears in
PLAT BOOK NO. 194 PAGE 114

09-32-106-005 - 8113-8119 Lemont / Parcel 5
09-32-106-006 - 8121-8123 Lemont / Parcel 6
09-32-106-015 - 8245 Lemont / Parcel 2
09-32-106-016 - 8245 Lemont / Parcel 3
09-32-106-019 - Vacant 83rd St / Parcel 4
09-32-106-022 - Vacant 83rd St / Parcel 1

SUBMITTED BY & RETURN TO:
Joanne F. Coleman, City Clerk
City of Darien
1702 Plainfield Road
Darien, IL 60561-5044

ORDINANCE NO. 0-23-99

**AN ORDINANCE GRANTING A SPECIAL USE FOR
A PLANNED UNIT DEVELOPMENT AND GRANTING
PRELIMINARY PUD PLAN APPROVAL AND
PRELIMINARY PLAT OF SUBDIVISION APPROVAL
SUBJECT TO CERTAIN CONDITIONS
(ROCKWELL PROPERTY, 83RD STREET AND LEMONT ROAD)**

WHEREAS, the property legally described on Exhibit A attached hereto and made a part hereof (the "Subject Property"), is zoned in the O R & I District pursuant to the Darien Zoning Ordinance; and

WHEREAS, the Owners of the Subject Property have petitioned the City for a Special Use permit to develop the Subject Property as a planned unit development ("PUD") in accordance with Chapter 3 of the Darien Zoning Ordinance and is requesting Preliminary PUD Plan approval; and

WHEREAS, the Owners have also petitioned the City for preliminary subdivision plat approval for the Subject Property; and

WHEREAS, the Subject Property is approximately 35.209 acres (including dedicated right-of-way); and

WHEREAS, the Owners anticipate the Subject Property will be developed and redeveloped in three non-sequential phases as described more thoroughly herein; and

WHEREAS, pursuant to Notice as required by law, the City of Darien Plan Commission conducted a public hearing on the proposal and has recommended approval thereof subject to certain terms, conditions and limitations; and

WHEREAS, the proposal has been reviewed by the City Council Planning & Development Committee; and

ORDINANCE NO. 0-23-99

WHEREAS, the City Council finds and determines that granting the Petition subject to the terms hereof is in the best interest of the sound growth and development of the City of Darien;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DARIEN, DU PAGE COUNTY, ILLINOIS, as follows:

SECTION 1: Identification of Existing Improvements and Conditions. For purposes of identification, the Subject Property consists of (i) three connected structures containing 165,978 square feet of warehouse/office space and 27,985 square feet of office space on what will be Lot 1 of the Plat of Subdivision of the Darien Corporate Centre; (ii) two office/warehouse buildings located on what will be Lots 8 and 9 of the Plat of Subdivision; (iii) two ponds which are located on what will be Outlot 1 of the Plat of Subdivision; and, (iv) existing paved and grassy areas throughout the Subject Property, subject to future development.

SECTION 2: Special Use Granted. Pursuant to Sections 5A-3-1-4; 5A-3-2; and 5A-9-2-3 of the Darien Zoning Ordinance, a Special Use for Planned Unit Development is hereby granted for the Subject Property. The special use granted is subject to the terms and conditions set forth herein below.

SECTION 3: Preliminary PUD Plan Approved. Pursuant to Section 5-A-3-2-2 of the Darien Zoning Ordinance, the City Council hereby grants Preliminary PUD Plan approval for the Planned Unit Development for the Subject Property. For purposes of this Ordinance, the Preliminary Plan consists of the following documents:

- (a) Preliminary PUD Site Plan prepared by Marc Cable Architects, and dated as most recently revised August 10, 1999.
- (b) Preliminary Landscape Plan prepared by Planning Resources and dated as of August 6, 1999.

(c) Preliminary Plat of Subdivision for the "Darien Corporate Centre" Subdivision prepared by Compass Land Surveying & Mapping Co. on file with the City Clerk as of August 11, 1999.

(d) Engineering Plan, prepared by Robert H. Anderson & Associates, Inc., and dated as of June 28, 1999.

(e) Darien Corporate Centre Building Prototypes, dated 3/25/99.

(f) Color Exterior Elevations, prepared by Marc Cable Architects, dated 3/25/99.

SECTION 4: Preliminary Plat of Subdivision Approved; and Final Plat Conditions.

Pursuant to 5A-3-2-2 of the Darien Zoning Ordinance and also applicable regulations of the Darien Subdivision regulations, the City Council hereby approves the Preliminary Plat of Subdivision for the "Darien Corporate Centre" Subdivision prepared by Compass Land Surveying & Mapping Co., and revised as of August 6, 1999. The Final Plat of Subdivision shall be subject to all applicable City regulations. The approval of the Final Plat of Subdivision, including requisite land for dedication for purposes of adding turning lanes on Lemont Road, is subject to review and approval of the DuPage County Division of Transportation (County "DOT"). The City acknowledges that County DOT has final permitting authority over the proposed turning lanes. Any changes or modifications required by County DOT shall be reflected on the Final Plat of Subdivision and the final PUD Plan.

SECTION 5: Phasing. The Subject Property shall be developed in the following three non-sequential phases. For purposes of this Ordinance, the three phases include the following:

(a) The "Existing Redevelopment Parcels" consisting of Lot 1, Lot 8, Lot 9, and Outlot 1 as shown on the Preliminary Plat of Subdivision.

(b) The "Plainfield Road Development Parcel" consisting of Lot 2 and Lot 3 as shown on the Preliminary Plat of Subdivision.

ORDINANCE NO. 0-23-99

(c) The "North Development Parcel" consisting of Lot 4, Lot 5, Lot 6, Lot 7 and Outlot 2 as shown on the Preliminary Plat of Subdivision.

SECTION 6: Final Plat of Subdivision and Final PUD Plan Approval Required:

Existing Redevelopment Parcels. Upon notification from the City that the development complies with the County Stormwater and Flood Plain Ordinance, and a final decision on the right turn lanes along Lemont Road by the DuPage County DOT, the Owner of Existing Redevelopment Parcels shall thereupon petition the City for Final Plat of Subdivision for the Subject Property and Final PUD Plan approval for the Existing Redevelopment Parcels. The final plat shall provide for a cross easement between Lots 8 and 9.

SECTION 7: Final PUD Plan Approval Required; Plainfield Road Development

Parcel. The Owner of the Plainfield Road Development Parcel may petition the City for Final PUD approval in accordance with Section 5A-3-4-4 of the Darien Zoning Ordinance at any time following the Final Plat of Subdivision approval. In addition to meeting the submittal requirements of that section of the Zoning Ordinance, the Owner of the Plainfield Road Development Parcel must submit and receive approval for the following:

(a) Building design and wall signage. Building design will be reviewed for material and color compatibility. Generally, it is agreed that the Plainfield Road Development Parcel will be constructed with 4-inch face brick, vinyl clad windows, aluminum framed entry doors, pre-finished aluminum gutters, fascia and soffits, and asphalt shingles.

(b) Final Engineering shall address screening between the property and the residential property to the east with either landscaping, fencing or a combination thereof. The Final PUD Plan shall provide adequate screening between the Subject Property and the Residential Property to the east.

(c) Wall signage shall be allowed in accordance with the Darien Zoning Ordinance.

(d) One monument sign, not greater than 25 square feet as shown on the approved Landscape Plan, shall be allowed.

ORDINANCE NO. 0-23-99

SECTION 8: Final PUD Plan Approval Required; North Development Parcel. The Owner of the North Development Parcel may petition the City for Final PUD approval in accordance with Section 5A-3-4-4 of the Darien Zoning Ordinance at any time following the Final Plat of Subdivision approval. In addition to meeting the submittal requirements of that section of the Zoning Ordinance, the Owner of the North Development Parcel must submit and receive approval for the following:

- (a) Building design. Building design will be reviewed for material and color compatibility. Generally, it is agreed that the North Development Parcel will be constructed with precast concrete walls with penetrating color stain, aluminum framed windows and entry doors, prefinished aluminum roof copings, insulated steel overhead doors and insulated steel service doors.
- (b) Wall signage. Each occupant will be allowed one wall sign pursuant to the Darien Sign Ordinance; however, no signs will be allowed on the southern or eastern walls of any building on Lots 4, 5, 6, or 7.
- (c) One monument sign, not greater than 25 square feet as shown on the approved Landscape Plan, shall be allowed near the northern Lemont Road curb cut.

SECTION 9: Required Public and Private Improvements in Connection with the Existing Redevelopment Parcel. Subject to the limitations of weather or other *force majeure*, the Owner of the Existing Development Parcel shall complete the following public and private improvements within nine (9) months from the date of final plat approval as provided in Section 6, except for the watermain/hydrant improvement described in subsection (d) which shall be completed within eighteen (18) months from the date of final plat approval as provided in Section 6:

- (a) The completion of all improvements to the existing parking lot on Lot 1 as shown in the Preliminary Plan documents.
- (b) The completion of all landscaping on Lot 1 and adjacent rights-of-way as shown on the Preliminary Plan documents.

(c) The removal of the 83rd Street curb cut located approximately 385 feet east of the intersection of Lemont Road and 83rd Street and the restoration of the area with new curb, gutter, sidewalk, parkway and landscape improvements as shown on the Preliminary Plan documents.

(d) The installation of two westerly water main extensions (the southern one of which is proposed to be located on Lot 2 of the Plainfield Road Development Parcel) and fire hydrants off of that portion of the existing main on Lot 1 shall be installed per the Preliminary Plan documents.

(e) In addition to allowing the existing monument sign for Rockwell to remain, an additional monument sign, not greater than 25 square feet, as shown on the approved Landscape Plan, shall be allowed near the southern Lemont Road curb cut.

SECTION 10: Required Public and Private Improvements in Connection with Occupancies on Lot 8 and Lot 9. The Owner of Lot 8 and Lot 9 shall complete the following improvements prior to the renewal of any business license or issuance of any further certificates of occupancy on the property:

- (a) Installation of the landscape island and landscaping on Lot 8 per the Preliminary Plan documents.
- (b) Re-striping of Lots 8 and 9 per the Preliminary Plan documents.

SECTION 11: Required Public and Private Improvements in Connection with the Plainfield Road Development Parcel. The Owner of the Plainfield Road Development Parcel shall complete the following public and private improvements prior to the issuance of a certificate of occupancy for this phase:

- (a) Relocation of electrical lines underground along Plainfield Road.
- (b) Relocation of the existing north-south water main to the extent necessary to accommodate the approved final site plan for development of Lots 2 and 3.
- (c) Any abandoned sanitary or water service line in direct conflict with the construction of any improvements shall be removed.
- (d) Unless already constructed by the Owner of the North Development Parcel, the owner of the Plainfield Road Development Parcel shall remove the existing sanitary lift station

and replace it with the new sanitary system serving all properties in the development plus the Lange property located east of the proposed Lot 9. The Owner shall notify and provide sufficient time to allow owners of Lots 8 and 9 and the Lange property located east of the proposed Lot 9 to make necessary improvements to execute a connection to the new sanitary line. Owner shall not abandon existing sanitary lines or make any service connections to any buildings on Lots 2 or 3 to the new sanitary line until after sanitary service connections have been completed on Lots 8, 9 and the Lange property located east of the proposed Lot 9.

(e) Construction of the landscape improvements south of the parking lot along Plainfield Road on Lots 2 and 3.

SECTION 12: Required Public and Private Improvements in Connection with the

North Development Parcel. The Owner of the North Development Parcel shall complete the following public and private improvements prior to the issuance of a certificate of occupancy for this phase:

(a) Construction of private roadway improvements, consisting of sidewalks, curbs, street lighting and pavement, as shown on the Preliminary Plan documents.

(b) Construction of the landscape improvements along the Lemont Road right-of-way adjacent Lot 4.

(c) Looping of the water system, as shown on the Preliminary Plan documents.

(d) Connection of the North Development Parcel and Lots 8 and 9 to the City water supply.

(e) Construction of the right turn lanes for the northern and southern entrances on Lemont Road, as shown on the Preliminary Plan documents.

(f) Construction of all other water improvements shown on the Preliminary Plan documents. The Owner shall notify and provide sufficient time to allow owners of Lots 8 and 9 and the Lange property located east of the proposed Lot 9 to make necessary improvements to execute a connection to the new water line. Owner shall not abandon existing water supply or make any service connections to any buildings on Lots 4, 5, 6, or 7 to the new water line until after water service connection have been completed on Lots 8, 9 and the Lange property located east of the proposed Lot 9.

(g) Any abandoned sanitary or water service line in direct conflict with the construction of any improvements shall be removed.

(h) Unless already constructed by the owner of the Plainfield Road Development Parcel, the owner of the North Development Parcel shall remove the existing sanitary lift station and replace it with the new sanitary system serving all properties in the development plus the Lange property located east of the proposed Lot 9. The Owner shall notify and provide sufficient time to allow owners of Lots 8 and 9 and the Lange property located east of the proposed Lot 9 to make necessary improvements to execute a connection to the new sanitary line. Owner shall not abandon existing sanitary lines or make any service connections to any buildings on Lots 4, 5, 6, or 7 to the new sanitary line until after sanitary service connections have been completed on Lots 8, 9 and the Lange property located east of the proposed Lot 9.

(i) Provide a water system connection to the Lange property located east of the proposed Lot 9.

SECTION 13: Water Main Improvements Required by December 31, 2005. Unless already completed pursuant to Section 11 herein, the Owner of the Existing Redevelopment Parcel shall construct the new water main line surrounding Lots 4, 5, 6 and 7, including all fire hydrant extension lines, and the water service line to the buildings on Lot 1 by December 31, 2005.

SECTION 14: Restriction on Lot 8. The existing building on Lot 8 contains 6,226 square feet of office, 10,548 square feet of warehouse and 2,377 square feet of common loading dock area. So as not to create additional parking requirements, no existing warehouse or dock space area shall be converted to office.

SECTION 15: Restriction on Lot 9. The existing building on Lot 9 contains 6,646 square feet of office and 14,654 square feet of warehouse. So as not to create additional parking requirements, no existing warehouse space shall be converted to office.

SECTION 16: Permitted Uses. Uses on Lot 2 and Lot 3 shall be limited to those uses listed in Section 5A-9-2-2 of the Zoning Ordinance (ORI District). In addition to the uses set forth in Section 5A-9-2-2 of the Zoning Ordinance (ORI District), the following uses may be allowed on Lot 1, Lot 4, Lot 5, Lot 6, Lot 7 and Lot 8:

- (a) Bakeries;
- (b) Building materials and product sales and storage/excluding outside sales and storage;
- (c) Machine shop;
- (d) Radio and television stations and studios, constructed in compliance with FAA, FCC and State of Illinois height restrictions for properties located in proximity to a private airport.
- (e) Vocational and trade schools.

SECTION 17: Elimination of Non-Conforming Uses. Any non-conforming use of the Subject Property, including but not limited to any existing use containing the outside storage of motor vehicles or trailers, shall cease on or before December 31, 2000.

SECTION 18: Required Approvals by Other Governmental Agencies. Final Plat of Subdivision and PUD Plan approval shall not be granted until such time as Owner has received all required approvals from all governmental agencies including but not limited to the County of DuPage.

SECTION 19: Ownership and Maintenance of Stormwater Detention Facilities;
City Right to Enter. The existing ponds and other stormwater management facilities shall remain privately owned as indicated on the Plat of Subdivision. Owners shall maintain such facilities at all times in accordance with all applicable ordinances, laws and regulations. Upon notice from the City and weather permitting, Owners shall properly take all corrective actions necessary for purpose of maintenance of said facilities at the direction of the City. In the event Owners fail to take such corrective action, City may (but is not required to) enter upon the Subject Property for purposes of maintaining said areas. Any costs incurred by the City in connection with such maintenance shall operate as a lien against the entire Subject Property. In addition, any invoice from the City which is unpaid for a period of 60 days shall be reason to

ORDINANCE NO. 0-23-99

deny Owner any future occupancies or business license renewal for any users on the Subject Property.

SECTION 20: Completion of Required Private Improvements as a Condition to Occupancy Permits; Unified Control.

(a) In accordance with Section 5A-3-2-8 of the City Code, no final occupancy shall be granted for any use as to a phase of development of the Subject Property until such time as all private improvements specified hereinabove have been completed to the reasonable satisfaction of the City.

(b) For purposes of satisfying the requirements of Section 5A-3-3-14 of the City Code that the Planned Unit Development be under unified control, Owner shall furnish the City with copies of declarations, common area maintenance agreements and such other documents which will become of record with the Subject Property sufficient to demonstrate to the City that all private improvements on the Subject Property including, but not limited to landscaping, parking surfaces and utilities, shall be adequately maintained by the Owner of each applicable parcel within the Subject Property.

SECTION 21: Variations Granted. The following variations are hereby granted:

(a) A variation from Section 5A-9-2-7(B) to reduce the rear yard on Lots 4, 5, 6 and 7 from 30 feet to 15 feet.

(b) A variation from Section 5B-1-7(D)1 to allow lots with frontage on a street for Lots 5, 6, 7 and 8.

(c) A variation from Section 5A-5-8-3(A) to allow a combination of landscaping and/or fencing in lieu of the required six-foot-high fence along the eastern perimeter/property line.

SECTION 22: Sanitary Sewer Improvement Work. The sanitary sewer improvements required for the development of the various development parcels are under the jurisdiction and control of the County of DuPage. The owner and developer of each development parcel may proceed with the required sanitary sewer improvements for the Subject Property at the Developer's discretion, even though final PUD approval has not been granted.

ORDINANCE NO. 0-23-99

SECTION 23: Effective Date. This Ordinance shall be in full force and effect from and after its passage and approval, and shall subsequently be published in pamphlet form as provided by law.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF DARIEN, DU PAGE COUNTY, ILLINOIS, this 20th day of September, 1999.

AYES: 6 - Biehl, Cotten, Durkin, Hagen, Marchese, Weaver

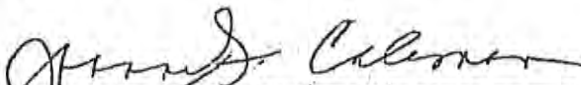
NAYS: 0 - None

ABSENT: 0 - None

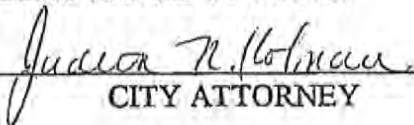
APPROVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF DARIEN, DU PAGE COUNTY, ILLINOIS, this 20th day of September, 1999.


CARMEN D. SOLDATO, MAYOR

ATTEST:


JOANNE F. COLEMAN, CITY CLERK

APPROVED AS TO FORM:


CITY ATTORNEY



Legal Description

PARCEL 1: THE NORTH 569.00 FEET OF THE SOUTH HALF OF THE WEST HALF OF THE NORTHWEST QUARTER OF SECTION 32, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN (EXCEPT THE NORTH 230.00 FEET OF THE WEST 1017.56 FEET THEREOF) AND (EXCEPT THE NORTH 230.00 FEET OF THE EAST 100.00 FEET OF THE WEST 1117.56 FEET THEREOF) IN DUPAGE COUNTY, ILLINOIS.

PARCEL 2: THE NORTH 227.50 FEET OF THE SOUTH 577.50 FEET OF THE WEST 385.00 FEET OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 32, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN DUPAGE COUNTY, ILLINOIS.

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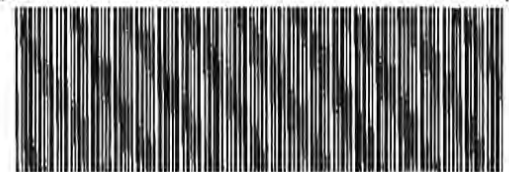
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Page Two

OF 300.00 FEET TO A POINT BEING THE INTERSECTION WITH THE NORTHERN RIGHT OF WAY LINE OF 83RD STREET; THENCE SOUTH 89 DEGREES 56 MINUTES 40 SECONDS WEST ON AND ALONG SAID NORTHERN RIGHT OF WAY LINE, BEING PARALLEL WITH AND 50.00 FEET PERPENDICULAR FROM THE CENTER LINE THEREOF, A DISTANCE OF 100.00 FEET; THENCE DUE NORTH A DISTANCE OF 170.00 FEET; THENCE SOUTH 89 DEGREES 56 MINUTES 40 SECONDS WEST, A DISTANCE OF 200.00 FEET TO A POINT BEING THE INTERSECTION WITH THE EASTERN RIGHT OF WAY LINE OF LEMONT ROAD; THENCE DUE NORTH ON AND ALONG SAID EASTERN RIGHT OF WAY LINE, BEING PARALLEL WITH AND 50.00 FEET PERPENDICULAR FROM THE CENTER LINE THEROF, A DISTANCE OF 130.00 FEET TO THE POINT OF BEGINNING, IN DUPAGE COUNTY, ILLINOIS.

PARCEL 5: THE EAST 189.39 FEET OF THE WEST 449.39 FEET OF THE NORTH 230.00 FEET OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 32, TOWNSHIP 38 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN DU PAGE COUNTY, ILLINOIS

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J.P. "RICK" CARNEY

DUPAGE COUNTY RECORDER

JUN.29,2000

12:10 PM

PLAT

09-32-106-005

005 PAGES

R2000-099131

CITY OF DARIEN

DU PAGE COUNTY, ILLINOIS

ORDINANCE NO. 0-06-00

AN ORDINANCE APPROVING A FINAL PLAT
OF SUBDIVISION
(DARIEN CORPORATE CENTER PUD)

ADOPTED BY THE
MAYOR AND CITY COUNCIL
OF THE
CITY OF DARIEN

THIS 15th DAY OF May, 2000

Published in pamphlet form by authority of
the Mayor and City Council of the City of
Darien, DuPage County, Illinois, this
16th day of May,
2000.

A delineation of the property
described in this instrument
appears in

PLAT BOOK NO. 197 PAGE 46

09-32-106-005
09-32-106-006
09-32-106-015
09-32-106-016
09-32-106-019
09-32-106-022,

8113-8119 Lemont Road
8121-8123 Lemont Road
8245 Lemont Road
8245 Lemont Road
Vacant ''
Vacant ''

Dariens, IL

SUBMITTED BY & RETURN TO:
Joanne F. Coleman, City Clerk
CITY OF DARIEN
1702 Plainfield Road
Darien, IL 60561-5044

ORDINANCE NO. 0-06-00

**AN ORDINANCE APPROVING A FINAL PLAT
OF SUBDIVISION
(DARIEN CORPORATE CENTER PUD)**

WHEREAS, heretofore, pursuant to Ordinances O-22-99 and O-23-99, the City Council zoned into the ORI Zoning District, granted a special use for a Planned Unit Development, approved a preliminary plat of subdivision, and approved a preliminary plat of Planned Unit Development certain property legally described on Exhibit "A" attached hereto and made a part hereof (the "Subject Property"); and

WHEREAS, the Owner and Developer of the Subject Property has petitioned for approval of a final subdivision plat for the Subject Property; and

WHEREAS, at its meeting held May 8, 2000, the Darien Planning & Development reviewed the final plat and recommended that it be approved;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DARIEN, DUPAGE COUNTY, ILLINOIS, as follows:

SECTION 1: The final subdivision plat for the Subject Property, a copy of which plat is incorporated herein by reference as Exhibit "B", and which is further identified as "Final Plat of Subdivision Darien Corporate Center", prepared by Compass Land Surveying and Mapping, last revision dated 4/28/00, being a subdivision of Section 32, Township 38 North, Range 11, East of the third principal meridian, in DuPage County, Illinois, is hereby approved subject to the addition of a cross easement between Lots 8 and 9.

SECTION 2: The Mayor and Clerk are hereby authorized and directed to execute the final subdivision plat for the Subject Property.

ORDINANCE NO. 0-06-00

SECTION 3: The City Clerk is hereby authorized and directed to cause the final plat of subdivision to be recorded in the Office of the Dupage County Recorder of Deeds.

SECTION 4: This Ordinance shall be in full force and effect from and after its passage and approval as provided by law.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF DARIEN, DU PAGE COUNTY, ILLINOIS, this 15th day of May, 2000.

AYES: 6 - Biehl, Cotten, Durkin, Marchese, Quiaoit, Weaver

NAYS: 0 - None

ABSENT: 1 - Hagen


APPROVED BY THE MAYOR OF THE CITY OF DARIEN, DU PAGE COUNTY, ILLINOIS, this 15th day of May, 2000.


CARMEN D. SOLDATO, MAYOR

ATTEST:


JOANNE F. COLEMAN, CITY CLERK

APPROVED AS TO FORM:


JOHN B. MURPHY, CITY ATTORNEY

ORDINANCE NO. 0-06-00

EXHIBIT A

PARCEL 1: THE NORTH 569.00 FEET OF THE SOUTH HALF OF THE WEST HALF OF THE NORTHWEST QUARTER OF SECTION 32, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN (EXCEPT THE NORTH 230.00 FEET OF THE WEST 1017.56 FEET THEREOF) AND (EXCEPT THE NORTH 230.00 FEET OF THE EAST 100.00 FEET OF THE WEST 1117.56 FEET THEREOF) IN DUPAGE COUNTY, ILLINOIS.

PARCEL 2: THE NORTH 227.50 FEET OF THE SOUTH 577.50 FEET OF THE WEST 385.00 FEET OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 32, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN DUPAGE COUNTY, ILLINOIS.

PARCEL 3: THE SOUTH HALF OF THE WEST HALF OF THE NORTHWEST QUARTER (EXCEPT THE NORTH 569 FEET THEREOF AND EXCEPT THE SOUTH 350 FEET OF THE WEST 350 FEET THEREOF, AND EXCEPT THE NORTH 227.50 FEET OF THE SOUTH 577.50 FEET OF THE WEST 385 FEET THEREOF) IN SECTION 32, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN DUPAGE COUNTY, ILLINOIS.

PARCEL 4: PART OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 32, TOWNSHIP 38 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT BEING THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 32; THENCE DUE NORTH (ASSUMED BEARING) ON AND ALONG THE WEST LINE OF SECTION 32; A DISTANCE OF 350.00 FEET; THENCE NORTH 89 DEGREES 56 MINUTES 40 SECONDS EAST, PARALLEL WITH THE SOUTH LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 50.00 FEET TO A POINT BEING THE INTERSECTION WITH THE EASTERN RIGHT OF WAY LINE OF LEMONT ROAD AND BEING THE "TRUE POINT OF BEGINNING" THENCE CONTINUING NORTH 89 DEGREES

ORDINANCE NO. 0-06-00

56 MINUTES 40 SECONDS EAST, A DISTANCE OF 300.00 FEET; THENCE DUE SOUTH, PARALLEL WITH THE WEST LINE OF SECTION 32, A DISTANCE OF 300.00 FEET TO A POINT BEING THE INTERSECTION WITH THE NORTHERN RIGHT OF WAY LINE OF 83RD STREET; THENCE SOUTH 89 DEGREES 56 MINUTES 40 SECONDS WEST ON AND ALONG SAID NORTHERN RIGHT OF WAY LINE, BEING PARALLEL WITH AND 50.00 FEET PERPENDICULAR FROM THE CENTER LINE THEREOF, A DISTANCE OF 100.00 FEET; THENCE DUE NORTH A DISTANCE OF 170.00 FEET; THENCE SOUTH 89 DEGREES 56 MINUTES 40 SECONDS WEST, A DISTANCE OF 200.00 FEET TO A POINT BEING THE INTERSECTION WITH THE EASTERN RIGHT OF WAY LINE OF LEMONT ROAD; THENCE DUE NORTH ON AND ALONG SAID EASTERN RIGHT OF WAY LINE, BEING PARALLEL WITH AND 50.00 FEET PERPENDICULAR FROM THE CENTER LINE THEROF, A DISTANCE OF 130.00 FEET TO THE POINT OF BEGINNING, IN DUPAGE COUNTY, ILLINOIS.

PARCEL 5: THE EAST 189.39 FEET OF THE WEST 449.39 FEET OF THE NORTH 230.00 FEET OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 32, TOWNSHIP 38 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN DU PAGE COUNTY, ILLINOIS.

PARCEL 6: THE EAST 189.39 FEET OF THE WEST 638.78 FEET OF THE NORTH 230.00 FEET OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 32, TOWNSHIP 38 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN DU PAGE COUNTY, ILLINOIS.

PLAT

J. P. "RICK" CARNEY
DU PAGE COUNTY RECORDER
P. O. BOX 936
WHEATON, ILLINOIS 60189

R2000-099131
6-29-00

DATE OF INSTRUMENT: 5-15-2000

CASH
 CHECK

CHARGE Pl 9⁰⁰
 CREDIT CARD

DOCUMENT TYPE:

SUBDIVISION

ANNEXATION

VACATION

DEDICATION

ORDINANCE

EASEMENT

DECLARATION

RESOLUTION

TITLE: Darien Corporate Centre

1ST PARTY: _____

2ND PARTY: _____

LEGAL DESCRIPTION: _____

SEC. 32 TWP. 38 RANGE 11

PIN NO. 09-32-106-005 UNIT NO. 09-32-106-022

09-32-106-006

09-32-106-015

09-32-106-016

09-32-106-019

SUBMITTED BY: Joanne R.

ACCOMPANYING PAPERS: Ord. # 0-06-00

YES NO

BOOK 197

MAIL TO: City of Darien

PAGE 46

1702 Plainfield Rd.

NUMBER OF PAGES 4

Darien, Ill. 60018-5044

FINAL PLAN OF SUBDIVISION
DARIEN CORPORATE CENTRE
PART OF THE NORTHWEST QUARTER OF SECTION 32, TOWNSHIP 38 NORTH, RANGE
11 EAST OF THE THIRD PRINCIPAL MERIDIAN IN DUPAGE COUNTY, ILLINOIS.



EXHIBIT 'B'
DRAWING NO. D-09-00

- P.L.N. 09-32-106-001
- P.L.N. 09-32-106-012
- P.L.N. 09-32-106-016
- P.L.N. 09-32-106-017
- P.L.N. 09-32-106-020
- P.L.N. 09-32-106-022

Book 197
Page 46

PREPARED BY:
JAMES P. JOHNSON, CIVIL ENGINEER
CITY OF MAHOMET
108 FARMERS ROAD
MAHOMET, ILLINOIS 61751

LINE	DESCRIPTION	BLASING
1	BLANK	N80D3127
2	BLANK	N80D3127
3	BLANK	N80D3127
4	BLANK	N80D3127

ACRESAGE SUMMARY

LOT	SQ. FEET	ACRES
1	59,262.00	1.349
2	14,000.00	0.320
3	10,432.00	0.238
4	83,500.00	1.903
5	46,736.00	1.040
6	39,692.00	0.904
7	32,678.00	0.744
8	43,849.00	1.000
9	42,869.00	0.980
10	37,894.00	0.864
11	39,212.00	0.898
DECEASED ROAD		
PLAINFIELD ROAD	18,628.00	0.427
LEMONT ROAD	45,458.00	1.042
TOTAL ACRESAGE	1,122,676.00	25.729

INGRESS AND EGRESS PROVISIONS
AN EGRESS AND EGRESS EASEMENT IS HEREBY RESERVED FOR AND GRANTED TO THE OWNERS OF LOTS 2 AND LOTS 4 THROUGH 8 INCLUSIVE, THEIR SUCCESSORS AND ASSIGNS, FOR ALL AREAS HEREIN PLATED AND DESIGNATED THEREIN AND EGRESS EASEMENT FOR THE PURPOSES OF ACCESS TO AND FROM SAID LOTS.

GRADING EASEMENT PROVISIONS
A GRADING EASEMENT IS HEREBY RESERVED FOR AND GRANTED TO THE CITY OF DARIEN AND THE OWNERS OF LOT 1 AND THE OWNERS OF LOT 2, THEIR SUCCESSORS AND ASSIGNS, FOR ALL AREAS HEREIN PLATED AND DESIGNATED THEREIN AND EGRESS EASEMENT FOR THE PURPOSES OF ESTABLISHING AND MAINTAINING A TRANSITION SLOPE FROM RIGHT-OF-WAY TO SAID LOTS.

ABBREVIATIONS
 1" = 100'
 1" = 200'
 1" = 400'
 1" = 800'
 1" = 1600'
 1" = 3200'
 1" = 6400'
 1" = 12800'
 1" = 25600'
 1" = 51200'
 1" = 102400'

LINE LEGEND
 --- PROPERTY LINE
 --- EGRESS EASEMENT
 --- EGRESS EASEMENT
 --- EGRESS EASEMENT
 --- EGRESS EASEMENT

NOTE
THIS PLAN IS SUBJECT TO ALL RECORDS AND RECORDS IN THE OFFICE OF THE CLERK OF COURTS, COUNTY OF DUPAGE, ILLINOIS, AND ALL RECORDS AND RECORDS IN THE OFFICE OF THE CLERK OF COURTS, COUNTY OF DUPAGE, ILLINOIS, AND ALL RECORDS AND RECORDS IN THE OFFICE OF THE CLERK OF COURTS, COUNTY OF DUPAGE, ILLINOIS.

NOTE
1/8" OUTLINE DIMENSIONS & 1/4" DIMENSIONS ARE SHOWN AT ALL LOT CORNERS UNLESS OTHERWISE NOTED.

PLAT
R2006-099131
JUN. 29 2006
12:10 PM

THIS PLAN HAS BEEN SUBMITTED FOR RECORDING BY:
NAME: JAMES P. JOHNSON
ADDRESS: 108 FARMERS ROAD, MAHOMET, ILLINOIS 61751

PS 146
R2006-099131
FINAL PLAN OF SUBDIVISION FOR DARIEN CORPORATE CENTRE

BLANKET UTILITY EASEMENT PROVISIONS
A BLANKET UTILITY EASEMENT (BULE) IS HEREBY RESERVED FOR AND GRANTED TO THE CITY OF DARIEN FOR THE USE OF WATER, GAS, SEWER, TELEPHONE, CABLE, AND OTHER UTILITIES, AND TO THE OWNERS OF LOTS 1 THROUGH 11 INCLUSIVE, THEIR SUCCESSORS AND ASSIGNS, FOR ALL AREAS HEREIN PLATED AND DESIGNATED AS BLANKET UTILITY EASEMENT (BULE) TO CONDUIT, TRENCH, TOWER, STRUCTURE, PIPE, MANHOLE, POLE, AND ALL OTHER UTILITY STRUCTURES AND APPURTENANCES, INCLUDING BUT NOT LIMITED TO, TRENCHES, CONDUITS, AND STRUCTURES, WITH THE RIGHT TO INSTALL, MAINTAIN, OPERATE, AND USE SUCH UTILITY STRUCTURES AND APPURTENANCES. THE CITY OF DARIEN SHALL BE ALLOWED TO USE SAID EASEMENT UNLESS THE CITY DETERMINES THAT SUCH UTILITY STRUCTURES AND APPURTENANCES WILL BE HARMFUL TO THE ADJACENT PROPERTY OWNERS. HOWEVER, SUCH UTILITY STRUCTURES AND APPURTENANCES SHALL BE INSTALLED AND MAINTAINED IN ACCORDANCE WITH ALL APPLICABLE CITY ORDINANCES, STATE AND FEDERAL REGULATIONS, AND OTHER APPLICABLE LAWS. THE CITY OF DARIEN SHALL BE RESPONSIBLE FOR THE COST OF INSTALLING AND MAINTAINING SUCH UTILITY STRUCTURES AND APPURTENANCES. THIS EASEMENT SHALL BE IN FULL FORCE AND EFFECT FROM THE DATE OF RECORDING OF THIS PLAN UNTIL THE DATE OF THE CITY OF DARIEN'S DECLARATION OF A UTILITY DISTRICT IN THE AREA OF THE EASEMENT. THIS EASEMENT SHALL NOT BE SUBJECT TO THE PROVISIONS OF ANY OTHER INSTRUMENT, INCLUDING BUT NOT LIMITED TO, A TRANSFER ON DEATH INSTRUMENT, A TRUST INSTRUMENT, A PROBATE INSTRUMENT, A WILL, A DEED, A CONTRACT, OR ANY OTHER INSTRUMENT, UNLESS SUCH INSTRUMENT SPECIFICALLY PROVIDES OTHERWISE. THIS EASEMENT SHALL BE SUBJECT TO THE PROVISIONS OF ANY CITY ORDINANCES.

TIME CONSERVATION EASEMENT PROVISIONS
THE AREA OF A LOT SHALL REMAIN OPEN TO THE PUBLIC AS A PARK OR RECREATION AREA. THE CITY OF DARIEN SHALL BE RESPONSIBLE FOR THE MAINTENANCE AND IMPROVEMENT OF SUCH AREA. THE CITY OF DARIEN SHALL BE ALLOWED TO USE SAID AREA FOR ANY PURPOSES, INCLUDING BUT NOT LIMITED TO, PARKING, STORAGE, AND RECREATION. THIS EASEMENT SHALL BE IN FULL FORCE AND EFFECT FROM THE DATE OF RECORDING OF THIS PLAN UNTIL THE DATE OF THE CITY OF DARIEN'S DECLARATION OF A UTILITY DISTRICT IN THE AREA OF THE EASEMENT. THIS EASEMENT SHALL NOT BE SUBJECT TO THE PROVISIONS OF ANY OTHER INSTRUMENT, INCLUDING BUT NOT LIMITED TO, A TRANSFER ON DEATH INSTRUMENT, A TRUST INSTRUMENT, A PROBATE INSTRUMENT, A WILL, A DEED, A CONTRACT, OR ANY OTHER INSTRUMENT, UNLESS SUCH INSTRUMENT SPECIFICALLY PROVIDES OTHERWISE. THIS EASEMENT SHALL BE SUBJECT TO THE PROVISIONS OF ANY CITY ORDINANCES.

ACCESS EASEMENT PROVISIONS
 ① LOTS 1, 2 AND 3 (HEREBY SHOWN)
AN ACCESS EASEMENT IS HEREBY RESERVED FOR AND GRANTED TO THE OWNERS OF LOTS 1, 2 AND 3, THEIR SUCCESSORS AND ASSIGNS, FOR ALL AREAS HEREIN PLATED AND DESIGNATED AS ACCESS EASEMENT FOR THE PURPOSES OF ACCESS TO AND FROM SAID LOTS.

② LOTS 4 AND 5 (HEREBY SHOWN)
AN ACCESS EASEMENT IS HEREBY RESERVED FOR AND GRANTED TO THE OWNERS OF LOTS 4 AND 5, THEIR SUCCESSORS AND ASSIGNS, FOR ALL AREAS HEREIN PLATED AND DESIGNATED AS ACCESS EASEMENT FOR THE PURPOSES OF ACCESS TO AND FROM SAID LOTS.

③ LOTS 6 AND 7 (HEREBY SHOWN)
AN ACCESS EASEMENT IS HEREBY RESERVED FOR AND GRANTED TO THE OWNERS OF LOTS 6 AND 7, THEIR SUCCESSORS AND ASSIGNS, FOR ALL AREAS HEREIN PLATED AND DESIGNATED AS ACCESS EASEMENT FOR THE PURPOSES OF ACCESS TO AND FROM SAID LOTS.

④ LOTS 8 AND 9 (HEREBY SHOWN)
AN ACCESS EASEMENT IS HEREBY RESERVED FOR AND GRANTED TO THE OWNERS OF LOTS 8 AND 9, THEIR SUCCESSORS AND ASSIGNS, FOR ALL AREAS HEREIN PLATED AND DESIGNATED AS ACCESS EASEMENT FOR THE PURPOSES OF ACCESS TO AND FROM SAID LOTS.

COMPASS
PROF. ENGINEER
1000 NORTH PULASKI STREET, SUITE 100, CHICAGO, ILLINOIS 60642
PHONE: (773) 662-1000
FAX: (773) 662-1001

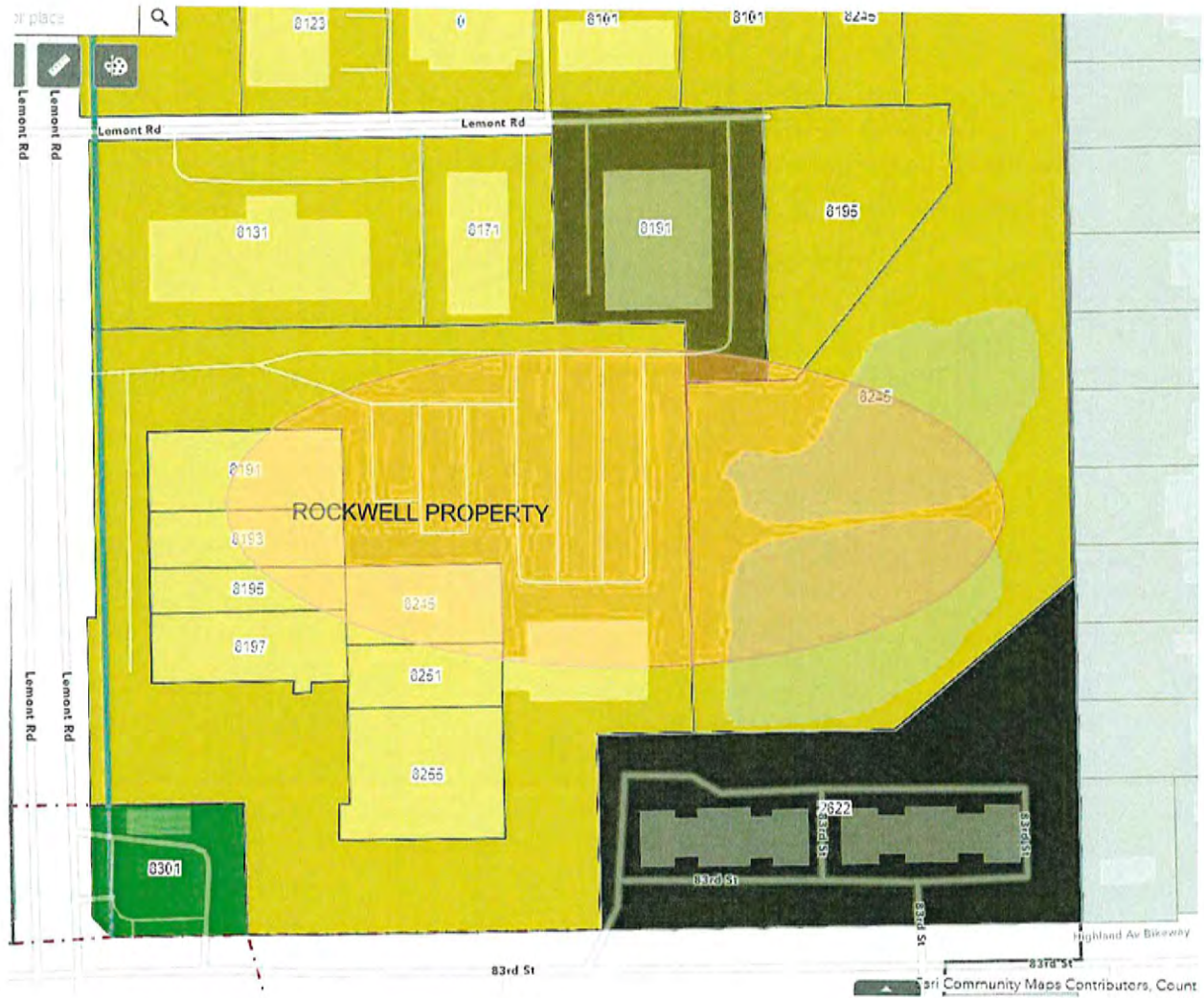
Prepared by: JAMES P. JOHNSON
CITY OF MAHOMET
108 FARMERS ROAD
MAHOMET, ILLINOIS 61751

DATE: 06/29/06
SCALE: AS SHOWN
SHEET: 1 OF 4

ITEM 7

AERIAL IMAGERY

ROCKWELL PROPERTY





245 Sidney Court
Villa Park IL 60181

P. 630.833.8600
F. 630.833.9595

www.keeley.com



NORTH ELEVATION

8245 Lemont Road, Darien



WEST ELEVATION

8245 Lemont Road, Darien



NW CORNER

8245 Lemont Road, Darien



SW CORNER

8245 Lemont Road, Darien



NE CORNER

8245 Lemont Road, Darien



SE CORNER

8245 Lemont Road, Darien



DETENTION PONDS

8245 Lemont Road, Darien



DETENTION PONDS

8245 Lemont Road, Darien



WEST ELEVATION

8245 Lemont Road, Darien



WEST ELEVATION

8245 Lemont Road, Darien



WEST ELEVATION

8245 Lemont Road, Darien



NW CORNER

8245 Lemont Road, Darien



NW CORNER LOADING DOCK

8245 Lemont Road, Darien



NORTH ELEVATION CENTER BUILDING

8245 Lemont Road, Darien



NORTH ELEVATION CENTER BUILDING

8245 Lemont Road, Darien



SE CORNER
EAST BUILDING

8245 Lemont Road, Darien



**SOUTH ELEVATION
EAST BUILDING**

8245 Lemont Road, Darien



**SOUTH ELEVATION
EAST BUILDING**

8245 Lemont Road, Darien



**SOUTH ELEVATION
CENTER & EAST BUILDING CONNECTION**

8245 Lemont Road, Darien



EAST ELEVATION CENTER BUILDING

8245 Lemont Road, Darien



SOUTH ELEVATOR CENTER BUILDING

8245 Lemont Road, Darien



**SW CORNER
CENTER BUILDING**

8245 Lemont Road, Darien



WEST ELEVATION CENTER BUILDING

8245 Lemont Road, Darien



**SOUTH ELEVATION
WEST BUILDING**

8245 Lemont Road, Darien



**SOUTH ELEVATION
WEST/CENTER BUILDING CONNECTION**

8245 Lemont Road, Darien

**CHRISTOPHER B. BURKE ENGINEERING, LTD.**

9575 W Higgins Road, Suite 600 Rosemont, Illinois 60018-4920 Tel (847) 823-0500 Fax (847) 823-0520

July 11, 2024

City of Darian
1702 Plainfield Road
Darien, Illinois

Attention: Dan Gombac

Subject: 8425 Lemont Road – Proposed Subdivision
(CBBEL Project No. 950323.H0261)

Dear Jordan

As requested on July 2, 2024, we have reviewed the proposed Plat of Subdivision prepared by Webster, McGrath & Ahlberg Ltd. and revised June 10, 2024. It is our understanding that the purpose of the subdivision is to allow for the property to be sold to multiple parties. No new development or improvements are proposed. Our previous comments have been addressed and, in our opinion, the Plat is now in general compliance with Title 5.B Subdivision Regulations of City Code.

If you have any questions, please do not hesitate to contact me.

Sincerely,

Daniel L. Lynch, PE, CFM
Vice President, Head Municipal Engineering Department